

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

- - -

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 21-20264

YLLI DIDANI,

Defendant.

JURY TRIAL - VOLUME 8 - EXCERPT  
(Continued testimony of Brandon Leach)  
BEFORE THE HONORABLE DENISE PAGE HOOD  
UNITED STATES DISTRICT JUDGE

Theodore Levin United States Courthouse  
231 West Lafayette Boulevard  
Detroit, Michigan  
Tuesday, February 25, 2025

**APPEARANCES:**

**For the Plaintiff:** Mark Bilkovic  
Timothy McDonald  
UNITED STATES ATTORNEY'S OFFICE  
211 W. Fort Street, Suite 2001  
Detroit, Michigan 48226  
(313) 226-9623

**For the Defendant:** Ylli Didani,  
Appearing in Pro Se  
  
Wade Fink  
WADE FINK LAW, P.C.  
550 W. Merrill Street, Suite 100  
Birmingham, Michigan 48009  
(248) 712-1054  
(Appearing as Standby Counsel)

Also Present: Special Agent Chad Hermans  
Maria DiCarlo

*To obtain a copy of this official transcript, contact:*  
*Sheila D. Rice Official Court Reporter*  
*(313) 234-2610 • sheila\_rice@mied.uscourts.gov*

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E X H I B I T I N D E X

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1 Detroit, Michigan

2 Tuesday, February 25, 2025

3 9:39 a.m.

4 - - -

5 (Beginning of excerpt.)

6 THE COURT: Okay. Very good. You're still under  
7 oath. Please state your name again for the record.

8 THE WITNESS: Brandon Leach, L-E-A-C-H.

9 MR. BILKOVIC: May I proceed, your Honor?

10 THE COURT: You may.

11 MR. BILKOVIC: Your Honor, before I ask additional  
12 questions, I would like to move -- I was advised that I did not  
13 move all of these into evidence yesterday. I would move to  
14 admit Government's proposed Exhibits 1.4 through 1.8 into  
15 evidence. Those are the photographs that Agent Leach testified  
16 and identified of Philip Daskal, Alexander Meskouris, Fatjon  
17 Bajrami, Dayiberto Torres-Rosario and Thomas Sweeney.

18 THE COURT: Any objection?

19 DEFENDANT DIDANI: No, your Honor.

20 THE COURT: Very well. They're admitted as 1.4  
21 through 1.8.

22 MR. BILKOVIC: And, your Honor, I would also move -- I  
23 believe that there initially was an objection, and the Court  
24 took these conditionally. When Agent Leach testified, there  
25 were statements that I moved to introduce that the Court

1 reserved ruling on. And I believe that those were statements  
2 marked 8.1, 8.2, 8.3, 8.4, 8.5, 8.6 and 8.7.

3 Mr. Didani posed an objection, because there were some  
4 of them that were redacted. I ended up providing -- we ended  
5 up providing unredacted statements to Mr. Didani, and he had  
6 benefit of those for his cross-examination of Agent Newsome.  
7 So I would move to admit those into evidence -- or readmit  
8 those into evidence at this point.

9 THE COURT: Any objection?

10 DEFENDANT DIDANI: No objection, your Honor.

11 THE COURT: All right. They're admitted.

12 MR. BILKOVIC: Thank you.

13 DIRECT EXAMINATION (Continued)

14 BY MR. BILKOVIC:

15 Q. Agent Leach, I believe when we left off yesterday I was  
16 asking you about Mr. Didani and where he was living during the  
17 investigation and whether he had family in the United States.  
18 And I don't know if I asked you this or not, but if I did I  
19 apologize. But during the investigation did you observe  
20 Mr. Didani in Michigan?

21 A. Yes, I did.

22 Q. And do you recall approximately when? I'm not looking for  
23 exact dates, but years and under what circumstances?

24 A. It would have been late fall, early winter of 2018.

25 Q. And was that -- did you have Mr. Didani under surveillance

1 at the time?

2 A. Yes, we did.

3 Q. Now, you're one of the lead case agents in this case?

4 A. That's correct.

5 Q. Are there other agents involved that you would describe as  
6 lead case agents as well?

7 A. Yes.

8 Q. And who would those people be?

9 A. Josh Bianchi of Border Patrol, as previously stated, and  
10 IRS Criminal Investigator Derek Newsome along with Special  
11 Agent Chad Hermans of the DEA.

12 Q. And, as one of the lead case agents in this case, what were  
13 your responsibilities in the case?

14 A. Gathering intelligence and conduct investigations into the  
15 background of the members that had been identified in the  
16 organization, along with identifying other members of the  
17 organization, domestic and abroad.

18 Q. And how did you obtain this intelligence or information?

19 A. Through numerous administrative subpoenas, search warrants,  
20 surveillance.

21 Q. And did you interview witnesses during the investigation?

22 A. Yes, we did.

23 Q. Did other agents interview witnesses as well?

24 A. Yes.

25 Q. You said that you executed search warrants. Did you obtain

1 search warrants as well?

2 A. Yes.

3 Q. And there's been testimony about how to obtain a search  
4 warrant that basically you -- I don't want to tell you how you  
5 do it. How do you obtain a search warrant?

6 A. Sure. So I will complete and author what's known as an  
7 affidavit, basically me swearing that the information is true  
8 that I'm putting on paper involving probable cause to obtain  
9 whatever information I'm trying to obtain, and that information  
10 is then put in front of a judge for authorization. I swear to  
11 that, and then it will be sent off to whatever affiliation is  
12 necessary that holds that information.

13 Q. The search warrant affidavits, is that -- the information  
14 you include in there, is that all information from your  
15 personal knowledge or do you rely on information obtained from  
16 other people as well?

17 A. Some of it's personal information that I'm directly  
18 knowledgeable of, and other is information provided to me by  
19 other agents involved in the investigation.

20 Q. And do you have an estimate as to how many search warrants  
21 were obtained during the investigation?

22 A. Dozens.

23 Q. Did you have an estimate as to how many of those dozens you  
24 would have been the affiant on?

25 A. Well over 20.

1 Q. Fair to say that you were the affiant on the most search  
2 warrants as compared to other agents?

3 A. Yes.

4 Q. And what type of search warrants did you obtain? What  
5 types of information were you looking to obtain?

6 A. I obtained search warrants for GPS tracker data.

7 Q. What is GPS tracker data?

8 A. Geo-positioning sensor. It's basically something that we  
9 can attach to vehicles that allows us to track a vehicle  
10 electronically. Also, electronic ping data, which is  
11 relatively --

12 THE COURT: Electronic what?

13 THE WITNESS: Ping, P-I-N-G, which deals with cellular  
14 tracking of a device. So you provide that information to the  
15 telephone company and they provide you the ping data.

16 BY MR. BILKOVIC:

17 Q. And is that realtime ping data where you can tell where a  
18 phone currently is located?

19 A. Yes.

20 Q. Now, are these search warrants, when you obtain a search  
21 warrant for say tracker information on a vehicle or ping data  
22 from a cell phone, is it for unlimited duration?

23 A. No, it is not.

24 Q. And why is that? What happens and what is the period?

25 A. It would be unconstitutional just to track somebody forever



1 without probable cause. So you basically have to state within  
2 your affidavit the reason that you're intending to need this  
3 information and for the duration and why you need it for that  
4 said duration.

5 Q. And are there limits on that duration?

6 A. Yes, there are.

7 Q. What happens if at the end of that duration you don't have  
8 any additional need for this information?

9 A. If you've exhausted the extent of the search warrant and  
10 you haven't built any additional probable cause, there won't be  
11 any further search warrants issued.

12 Q. If there is information that you believe that you still  
13 need to obtain this information, then what do you have to do?

14 A. Yes. So, if you obtain a search warrant and then with the  
15 information that is provided to you or that you gather  
16 utilizing that information, you build more probable cause. To  
17 further your investigation, you then have to write an  
18 additional search warrant utilizing your new probable cause  
19 with the historical probable cause to essentially get a new  
20 search warrant for further information.

21 Q. Did you also obtain search warrants for electronic devices  
22 in this case?

23 A. Yes, I did.

24 Q. And what about for residences, people's houses?

25 A. Yes.

1 Q. Now, is there some data, because I believe you mentioned  
2 subpoenas, is there some type of data that you can obtain  
3 without a search warrant?

4 A. Yes.

5 Q. What type of data is that?

6 A. Basic subscriber information, account holder information,  
7 stuff like that --

8 Q. What do you mean subscriber?

9 A. -- billing records. Such as a phone. You could send a  
10 administrative subpoena to a phone company for a specific phone  
11 number or a specific person's name, and if they hold an account  
12 with that phone company they will send you basically basic  
13 information such as when the phone was subscribed to that  
14 person, address, name, date of birth, stuff like that.

15 Q. And are these common techniques used by law enforcement in  
16 investigations?

17 A. Yes, they are.

18 Q. Do you use these type of techniques in your role as a  
19 detective with the Farmington Hills Police Department?

20 A. Yes, I do. Not administrative subpoenas, only search  
21 warrants. We don't have subpoena power.

22 Q. In the state you do not have subpoena power?

23 A. Correct.

24 Q. Do you recall some of the categories of data you received  
25 in this investigation in particular based on search warrants

1 and subpoenas that were issued?

2 A. Yes. I received information on multitude of different  
3 phone subscriber information, iCloud information, WhatsApp PIN  
4 registry information.

5 Q. What is WhatsApp PIN registry information?

6 A. WhatsApp messenger, if you're familiar with it, is an  
7 encrypted application that you can download on your phone.  
8 Instead of using your typical subscriber software to send  
9 messages, you can download this app, which is encrypted end to  
10 end. This specific company is WhatsApp.

11 Q. Now, in this case, are you aware of the cell phones that  
12 were taken from Mr. Didani in Chicago in 2016 and then  
13 subsequently seized and where a search warrant was obtained?

14 A. Yes.

15 Q. So this may be an obvious question, but the data that would  
16 be extracted on that phone how far would that data go up to?

17 A. However long that person has possessed that device and  
18 stored information on that device.

19 Q. So if the person -- if the phone was taken away from the  
20 person on August 6, for example, of 2016, and then put into  
21 airplane mode, would there be additional data that keeps coming  
22 into that phone?

23 A. No. Once the phone cannot communicate with the cellular  
24 carrier Wi-Fi there will be no more information updated.

25 Q. Was there a way that you and other agents came up with to

1 obtain information with respect to communications that  
2 Mr. Didani and other people may have been having with their  
3 cell phones after August 6 of 2016?

4 A. Yes.

5 Q. And what type of -- describe that?

6 A. So when a cellular phone extraction is done, depending on  
7 the software that's utilized to download that phone, not all  
8 information gets automatically extracted from the device.  
9 Sometimes you have to physically search the device. Certain  
10 applications don't download into the reader. Therefore, we do  
11 our due diligence and look for any sort of encrypted  
12 applications that we know of are money movement applications  
13 and try and investigate those physically on the device.

14 Q. And did you do that in this case?

15 A. Yes, we did.

16 Q. Was there another method that law enforcement used to  
17 obtain information with respect to iPhone data?

18 A. Yes.

19 Q. What was that?

20 A. We subpoenaed accounts to Apple in regards to Mr. Didani  
21 and phone numbers and also search warrants to Apple once we  
22 obtained the subpoenaed subscriber information for those  
23 accounts.

24 Q. Search warrants for what? What were you attempting to  
25 obtain?

1 A. iCloud data.

2 Q. And did you obtain that data in this case?

3 A. Yes, we did.

4 Q. Did you issue more than one iCloud search warrant?

5 A. Several.

6 Q. Do you have approximately how many -- do you know  
7 approximately how much you issued for Mr. Didani?

8 A. 13 to 14.

9 Q. Now, when you received that information back, who reviews  
10 it?

11 A. Typically I would have the extraction processed by a tech  
12 that was certified to do so, and then myself and the other  
13 agents in the investigation would sift through the information  
14 trying to identify anything that's pertinent.

15 Q. So basically a team effort as far as reviewing the  
16 information?

17 A. Yes.

18 Q. Would you describe the information that came back in, for  
19 example, Mr. Didani's iCloud account information as a small  
20 amount of information or a large amount of information?

21 A. The iCloud storage information that was obtained, massive.

22 Q. Do you recall -- did you author reports in this case?

23 A. Yes, I did.

24 Q. Approximately how many?

25 A. Over a hundred.

1 Q. Do you remember every detail of those reports?

2 A. Not memorized, no.

3 Q. Do you remember specific dates on every event that took  
4 place during the investigation?

5 A. No.

6 THE COURT: What's the number of reports again?

7 THE WITNESS: Over a hundred.

8 THE COURT: Okay.

9 BY MR. BILKOVIC:

10 Q. Now, did you testify before the Grand Jury in this case?

11 A. Yes, I did.

12 Q. And do you remember every detail of your Grand Jury  
13 testimony?

14 A. No.

15 Q. Was that recent or was it years ago?

16 A. Years ago.

17 Q. Now, we expect that you're going to testify more than one  
18 time in this case. Are you aware of that?

19 A. Yes, I am.

20 Q. And did you meet with me to go over the topics that we're  
21 going to cover today?

22 A. I did.

23 Q. And did you review reports related to those topics?

24 A. Yes, I have.

25 Q. So, if I asked you today about a topic that we didn't

1 cover, would you be able to answer me?

2 A. That depends.

3 Q. Depends on what?

4 A. My recollection and confidence to accurately depict that  
5 information under oath.

6 Q. And, if you were not able to remember, is there something  
7 that you can utilize in order to refresh your memory if needed?

8 A. Yes.

9 Q. What would that be?

10 A. Copies of my reports or search warrant affidavits.

11 Q. Now, I'm going to move forward and go to March of 2021. Do  
12 you know what a criminal complaint is?

13 A. I do.

14 Q. And what is a criminal complaint?

15 A. A criminal complaint is authorization to take somebody into  
16 custody.

17 Q. And did you or other agents do that in March of 2021?

18 A. Yes, we did.

19 Q. Do you recall approximately when that was?

20 A. March 31st of 2021.

21 Q. What was March 31, 2021?

22 A. March 31, 2021 was the day that Mr. Didani flew into the  
23 United States. He was destined for Chicago. His original port  
24 of entry was Charlotte, North Carolina where he was catching a  
25 connector to Chicago.

1 Q. And what was your -- did you arrest Mr. Didani on that  
2 date?

3 A. Yes, we did.

4 Q. Prior to --

5 THE COURT: In Chicago?

6 THE WITNESS: No, in Charlotte.

7 THE COURT: Okay.

8 BY MR. BILKOVIC:

9 Q. I'm going to get to the arrest in a second, but --  
10 actually, in a couple minute. Prior to arresting Mr. Didani,  
11 did you obtain any legal process?

12 A. Yes.

13 Q. What was that?

14 A. The criminal complaint.

15 Q. And do you recall approximately when you obtained that?

16 A. Two days prior, March 26.

17 Q. March 26 of 2021?

18 A. Yes.

19 Q. Did you know at that time that Mr. Didani was going to be  
20 flying into the United States on March 31st?

21 A. I did not know.

22 Q. Were you and other agents monitoring Mr. Didani's travel in  
23 March?

24 A. Yes, we were.

25 Q. Is there a reason why the complaint was basically obtained



1 on March 26?

2 A. So through the iClouds we were seeing information that  
3 Mr. Didani was suggesting that he was planning on coming to the  
4 United States fairly soon. So preemptively we authored the  
5 criminal complaint to have in hand just in case he did come  
6 into the country.

7 Q. And that criminal complaint, that's something that is  
8 signed by a judge; correct?

9 A. Yes, it is.

10 Q. Or a magistrate judge?

11 A. Yes.

12 Q. And did there come a point in time where you received  
13 information that Mr. Didani was going to be traveling to the  
14 United States on March 31, 2021?

15 A. Yes.

16 Q. Do you recall approximately when you received that  
17 information?

18 A. The day prior, on March 30th.

19 Q. Where were you when you received the information?

20 A. Local, in Detroit.

21 Q. And so what did you do upon receiving the information?

22 A. I notified my group supervisor at the time, Chad Hermans,  
23 and other members of the investigation that he was arriving in  
24 Charlotte.

25 Q. "He" being ...

1 A. Mr. Didani. I'm sorry.

2 Q. And after advising individuals of that did you and other  
3 agents develop basically a plan or course of action?

4 A. Yes.

5 Q. And what was that?

6 A. That was to travel to Charlotte to the airport there and  
7 intercept Mr. Didani after he cleared Customs to take him into  
8 custody.

9 Q. So did you travel to Charlotte, North Carolina?

10 A. Yes.

11 Q. Were you at the airport on March 31, 2021?

12 A. Yes, I was.

13 Q. Now, was it just federal agents from Detroit or did you  
14 notify any law enforcement in Charlotte as well?

15 A. We had contact with the DEA office in Charlotte notifying  
16 them that we were coming into their region of jurisdiction,  
17 which is typical protocol.

18 Q. What about law enforcement at the airport?

19 A. Yes.

20 Q. They were notified as well?

21 A. Yes.

22 Q. And so on the 31st of March 2021, did you and other agents  
23 go to the airport?

24 A. Yes, we did.

25 Q. And what did you do when you got there?

1 A. We waited for Mr. Didani's plane to arrive. We stood in a  
2 room to where we could view the Customs entry until Mr. Didani  
3 cleared Customs in which we then identified ourselves.

4 Q. And approximately how long -- well, did you eventually see  
5 Mr. Didani at the airport?

6 A. Yes, I did.

7 Q. Where did you see him?

8 A. In the Customs line.

9 Q. And do you know approximately how long Mr. Didani was in  
10 the Customs line?

11 A. Well over an hour.

12 Q. And do you know if he had any items on him?

13 A. Yes.

14 Q. What did he have?

15 A. He had a couple of suitcases with him. He had cash  
16 currency.

17 Q. Do you know approximately how much cash?

18 A. Over \$10,000.

19 Q. Are you talking way over or slightly over?

20 A. Slightly over.

21 Q. Do you know what was done with that money?

22 A. That money was seized by Customs and Border Protection.

23 Q. Did you have or did Detroit DEA did that have anything to  
24 do with you?

25 A. No.

1 Q. And did there come a point in time then that Mr. Didani  
2 cleared Customs?

3 A. Yes.

4 Q. What happened after that?

5 A. After he cleared Customs and grabbed his luggage, myself,  
6 IRS Agent Derek Newsome and Dennis McCradey, who's also Customs  
7 and Border Protection, but assigned to the Special Operations  
8 Division in Washington, D.C., approached Mr. Didani.

9 Q. And what happened when you approached Mr. Didani?

10 A. I identified myself, showed him my credentials, and asked  
11 him if he would walk with us, and we were trying to escort him  
12 to a more private location.

13 Q. And did he agree to do that?

14 A. Yes.

15 Q. And so what did you do?

16 A. The three of us, Mr. Newsome, Mr. McCradey and myself  
17 escorted Mr. Didani to closed quarters.

18 THE COURT: To where?

19 THE WITNESS: The private section only for law  
20 enforcement, your Honor.

21 BY MR. BILKOVIC:

22 Q. And was he taken to a room or was it an open area? Where  
23 was he taken to?

24 A. Initially it was an open area. Once we got him behind the  
25 initial secured door, I explained to Mr. Didani that he wasn't

1 going to be free to leave and we had a criminal complaint for  
2 his arrest, and then we moved into a secondary interview room.

3 Q. So basically he was placed under arrest?

4 A. Yes.

5 Q. When you moved him to the interview room, was anything  
6 recovered from him?

7 A. Yes.

8 Q. What?

9 A. A rose, gold-colored iPhone from his hoodie.

10 MR. BILKOVIC: May I have just one moment, your Honor?

11 THE COURT: Sure.

12 MR. BILKOVIC: Your Honor, may I approach and hand  
13 these to the witness?

14 THE COURT: Yes.

15 BY MR. BILKOVIC:

16 Q. If we could start with Government's proposed Exhibit 60.0.  
17 Do you know recognize that?

18 A. Yes, I do.

19 Q. And what is that?

20 A. This is the rose, gold-colored iPhone taken off of  
21 Mr. Didani.

22 Q. Did law enforcement recover any additional phones that  
23 evening?

24 A. Yes. There were two other additional electronic devices in  
25 his luggage.

1 Q. And were those seized by law enforcement?

2 A. Yes, they were.

3 Q. Can you look at Government's proposed Exhibit 60.1 and tell  
4 me if you recognize that?

5 A. Yes, I do.

6 Q. What is that?

7 A. This is a second iPhone that was located.

8 Q. Located where?

9 A. In Mr. Didani's luggage.

10 Q. And can you look at 60 point -- Government's proposed  
11 Exhibit 60.2. Tell me if you recognize that?

12 A. Yes. This is the second additional phone that was located  
13 on Mr. Didani in his luggage. This is a Samsung phone.

14 Q. That's a Samsung phone?

15 A. Yes.

16 Q. So these phones, when you say located either on him or in  
17 his luggage, that was from the arrest of March 31, 2021?

18 A. Yes, it was.

19 MR. BILKOVIC: Your Honor, at this time the Government  
20 would move for admission into evidence of Government's proposed  
21 Exhibit 60.0, 60.1 and 60.2.

22 THE COURT: Any objection?

23 DEFENDANT DIDANI: No objection, your Honor.

24 THE COURT: They're admitted as 60.0, .1 and .2.

25 MR. BILKOVIC: Thank you, your Honor.

1 BY MR. BILKOVIC:

2 Q. Did you or other agents eventually obtain a search warrant  
3 for -- to go through those phones and pull extractions from  
4 those phones?

5 A. Yes, we did.

6 Q. And was that successful? First of all, you got the search  
7 warrants?

8 A. The search warrants were authorized, extractions were  
9 attempted. Both iPhones were successfully extracted. The  
10 Samsung was unable to be extracted.

11 Q. Now, we talked about briefly -- I want to back up a little  
12 bit. We talked about Apple and the iCloud and how to obtain  
13 the information. You indicated that you had obtained multiple  
14 iCloud search warrants in this case for Mr. Didani. Why did  
15 you need multiple, or why did you obtain multiple?

16 A. The reason we obtained multiple, as I was explaining  
17 previously to the jury, on needing subsequent probable cause  
18 after receiving information from an initial search warrant. So  
19 when we obtained the initial search warrant that was authored  
20 October 31st of 2018, there was a multitude of photographs and  
21 messages that made us believe that Mr. Didani was involved in  
22 criminal activity, more specifically drug trafficking.

23 Q. So then what did you do after obtaining that information  
24 and reviewing that information?

25 A. We went through the information, disseminated the countries

1 that we believed were affiliated with that information, we  
2 documented reports regarding the information we observed, and  
3 then I utilized the information to further a second affidavit  
4 for an additional iCloud after that.

5 Q. So is it fair to say then that when you obtained the first  
6 iCloud search warrant in October of 2018, the data you received  
7 from Apple only went up to the date of that search warrant?

8 A. That's correct.

9 Q. So, if you wanted to obtain information that took place  
10 after the date of that search warrant, what would you need to  
11 do?

12 A. I would have to author a second or additional search  
13 warrant for the information from whatever date it was currently  
14 back to the date of the previous search warrant conclusion.

15 Q. And so, for example, if one of the iCloud search warrants  
16 left off at January 1st of 2018, and you obtained another  
17 search warrant in March of 2018, what information would that  
18 additional search warrant, the March search warrant, include?

19 A. That information would obtain any new -- let me rephrase  
20 that. Any collected information off that device that had been  
21 saved up to the iCloud between those dates. It doesn't  
22 necessarily mean that the data that you're receiving is from  
23 those dates, because, as an iCloud works, it restores  
24 everything that's currently on that device, re-saves it to the  
25 iCloud every time that it backs up.



1 Q. And do you recall approximately when the last search  
2 warrant you obtained from Mr. Didani's iCloud was?

3 A. March 17, 2021.

4 Q. And is there a reason that you didn't obtain any after  
5 that?

6 A. There is no further need once Mr. Didani was in custody and  
7 we had possession of his physical devices.

8 Q. And from his physical devices were you able to obtain  
9 information from March 17 up to March 31st of 2021?

10 A. Yes, we were.

11 Q. Now, how long -- when you would send off a request, you get  
12 a search warrant, and what do you do with that search warrant  
13 if you're looking for iCloud information? Who do you send it  
14 to?

15 A. We send it off to Apple.

16 Q. And how long would it take once you sent the search warrant  
17 off to Apple in the beginning? How long was it taking for you  
18 to get that data?

19 A. It was five to six weeks for a turnaround.

20 Q. And did that create a problem with the investigation?

21 A. Yes. With the information that we were observing within  
22 Mr. Didani's iCloud, we were seeing documents that appeared to  
23 be time sensitive that if we could get them in a faster manner  
24 we could become proactive in the investigation instead of  
25 responsive.

1 Q. And so did there come a point in time where you started  
2 receiving the iCloud data quicker than five to seven weeks or  
3 six to seven weeks?

4 A. Yes.

5 Q. And how long did that timeframe change to?

6 A. The duration of turnaround, is that what you're asking?

7 Q. Yeah. How long did it take -- did there come a point in  
8 time where that five to seven weeks shortened?

9 A. Yes. Exponentially, actually. So it got to the point  
10 where I would typically swear to a warrant on a Monday, ship it  
11 to Apple, and receive the return by that Friday.

12 Q. So a matter of four or five days?

13 A. Yes.

14 Q. And did that timeframe then help you advance the  
15 investigation?

16 A. Yes, it did.

17 Q. And we're going to get -- the next time you testify we're  
18 going to get into specifically what we're talking about there;  
19 okay?

20 A. Okay.

21 Q. I'd like you to -- I want to go through some of the Apple  
22 records right now. This will be fairly tedious, so I'll try to  
23 go through it relatively quickly.

24 Can you take a look at Government's proposed 126.1.

25 A. Would you like these exhibits back, by the way?

1 Q. Yes.

2 MR. BILKOVIC: May I retrieve those exhibits, Judge?  
3 I'm not going to use them again?

4 THE COURT: You may.

5 BY MR. BILKOVIC:

6 Q. Take a look at Government's proposed 126.1 and tell me if  
7 you recognize that?

8 A. Yes, I do.

9 Q. And what is that?

10 A. This is a certification of records provided to me by Apple,  
11 Incorporated regarding the initial search warrant for  
12 Mr. Didani's iCloud.

13 Q. And so what is this basically certifying?

14 A. This is certifying that the production that Apple is  
15 providing to me fulfills the requirements made upon them by the  
16 details written in the search warrant.

17 Q. And so this certificate would be attached with the iCloud  
18 information they would provide you?

19 A. Yes.

20 MR. BILKOVIC: Your Honor, at this time I would move  
21 for admission into evidence of Government's proposed 126.1.

22 THE COURT: Any objection?

23 DEFENDANT DIDANI: No objection, your Honor.

24 THE COURT: Very well. It's admitted as 126.1.

25 MR. BILKOVIC: Thank you, your Honor.

1 BY MR. BILKOVIC:

2 Q. And also is there a date on that that Apple certified it?

3 A. November 26, 2018.

4 Q. Now, you don't have it in front of you, because it's an  
5 Excel spreadsheet, but have you had an opportunity to review  
6 Government's proposed Exhibit 126.0?

7 A. Yes.

8 Q. And what is Government's proposed Exhibit 126.0? Do you  
9 recognize that, or did you recognize that?

10 A. I did.

11 Q. And what was that?

12 A. That was an Excel spreadsheet provided by Apple regarding  
13 the subscriber information associated with the iCloud account.

14 Q. And would that be basically something Apple would submit  
15 when it submits the iCloud information?

16 A. That's correct.

17 Q. In that document were you able to review it?

18 A. Yes, I was.

19 Q. And do you know what E-mail address was associated with  
20 that account?

21 A. MIFreight@yahoo.com.

22 Q. MIFreight@yahoo.com?

23 A. Yes.

24 Q. And was there a name contained in those records associated  
25 with the account?

1 A. Yes, there was.

2 Q. And what was the name?

3 A. Ylli Didani.

4 Q. Was there an address listed?

5 A. Yes.

6 Q. You don't have to give an exact address, but do you recall  
7 what city and/or state?

8 A. It was the address in Elmwood Park, Illinois that's  
9 associated with his parents' residence.

10 Q. I'm going to have you turn to Government's proposed Exhibit  
11 123.0. Do you recognize that?

12 I'm sorry. Yes, 126.3, not zero. 126.3.

13 A. Yes, I do.

14 Q. And what is that?

15 A. This is a certification of records from Apple regarding a  
16 search warrant from 2019, November.

17 Q. And specifically does it indicate a date that the search  
18 warrant was served on Apple?

19 A. Yes. It was served on October 7, 2019, and produced on  
20 November 4, 2019.

21 Q. And when is the certification signed?

22 A. November 4, 2019.

23 MR. BILKOVIC: Your Honor, at this point I would move  
24 for admission into evidence of Government's proposed Exhibit  
25 126.3.

1 THE COURT: Any objection?

2 DEFENDANT DIDANI: No objection, your Honor.

3 THE COURT: It's admitted as 126.3.

4 MR. BILKOVIC: Thank you, your Honor.

5 BY MR. BILKOVIC:

6 Q. Can you turn to Government's proposed Exhibit 126.5?

7 A. Yes.

8 Q. Do you recognize that?

9 A. Yes, I do.

10 Q. And what is that?

11 A. This is a declaration of Apple from Mr. Sean Pinner  
12 declaring his employment with Apple in his authorization.

13 Q. And would that have been a certification for another iCloud  
14 account?

15 A. Yes, it is.

16 Q. And would this be a certification for an iCloud account  
17 that was produced to the DEA on February 18, 2020?

18 A. Yes, that's accurate.

19 Q. And what is the date on the certification?

20 A. February 18, 2020.

21 MR. BILKOVIC: Your Honor, at this time the Government  
22 would move for admission into evidence of Government's proposed  
23 Exhibit 126.5.

24 THE COURT: Any objection?

25 DEFENDANT DIDANI: Your Honor, one moment, please. We

1 don't have it in our --

2 THE COURT: You don't have the document?

3 MR. FINK: Not electronically.

4 DEFENDANT DIDANI: Not electronically, your Honor.

5 THE COURT: Well, maybe you just want to look at it.

6 I'll have the Government --

7 Do you have a hardcopy to look at?

8 (Briefly off the record.)

9 THE COURT: You have one out there to use?

10 MR. FINK: Mr. Didani is using the Government's copy,  
11 your Honor.

12 THE COURT: Okay.

13 DEFENDANT DIDANI: Yes, your Honor.

14 THE COURT: Yes, what?

15 DEFENDANT DIDANI: No objection, your Honor.

16 THE COURT: It's admitted as 126.5; is that correct?

17 MR. BILKOVIC: Yes, your Honor.

18 THE COURT: Okay.

19 BY MR. BILKOVIC:

20 Q. And can you look at Government's proposed Exhibit 126.7 and  
21 tell me if you recognize that?

22 A. Yes, I do.

23 Q. And what is that?

24 A. It's another certification of Apple records from the search  
25 warrant that was authorized or submitted on January 25th of

1 2021, and produced on February 1, 2021.

2 Q. So that's an example basically of the production being a  
3 matter of a few days?

4 A. Yes, it is.

5 Q. And what is the date that that record was certified?

6 A. January 25, 2021 -- I'm sorry, February 1, 2021.

7 MR. BILKOVIC: Your Honor, at this time I would move  
8 for admission into evidence of Government's proposed Exhibit  
9 126.7.

10 DEFENDANT DIDANI: No objection, your Honor.

11 THE COURT: All right. Very well. It's admitted at  
12 126.7.

13 BY MR. BILKOVIC:

14 Q. Now, you indicated that you are aware of the iPhone that  
15 was recovered from Mr. Didani back at Chicago O'Hare Airport on  
16 August 6, 2006?

17 A. Yes, I am.

18 Q. Now, you did not prepare the search warrant for that?

19 A. No, I did not.

20 Q. Are you aware, though, that a search warrant was obtained?

21 A. Yes.

22 Q. And did you assist in, or at some point in time did you  
23 review the extraction?

24 A. Yes, I did.

25 Q. And that was for the iPhone?



1 A. Yes.

2 Q. Now, there was also another phone. Were you aware of  
3 another phone that was also taken at the same time?

4 A. Yes. There's a BlackBerry that was also seized.

5 Q. And do you know if that was extracted?

6 A. It was not.

7 Q. Do you know why not?

8 A. From the reports that were provided to me, it indicated  
9 that the BlackBerry -- Mr. Didani provided a pass code to that  
10 phone, and upon opening that phone the phone was wiped.

11 THE COURT: Was what?

12 THE WITNESS: The phone was deleted from utilizing the  
13 pass code provided from Mr. Didani.

14 BY MR. BILKOVIC:

15 Q. So any information that was on that phone was lost  
16 basically?

17 A. Yes.

18 Q. The Government could not obtain it?

19 A. Correct.

20 Q. During your extraction, or review of the extraction of that  
21 photograph, do you recall reviewing a photograph of a text  
22 message thread involving the phones?

23 A. Yes, I do.

24 Q. Can you take a look at Government's proposed Exhibit 112.8  
25 and tell me if you recognize that?

1 A. Yes, I do.

2 Q. And what is that?

3 A. This is a screenshot of a text message in Mr. Didani's  
4 phone.

5 Q. And the person that -- is there a description or a name of  
6 the person that the text messages were being sent to?

7 A. Yes. The name identified on the top says "Jack Colombo."

8 Q. Now, you don't know if that's actually a person named Jack  
9 Colombo or just the contact information that was stored in the  
10 phone; correct?

11 A. That's correct.

12 MR. BILKOVIC: Your Honor, at this time the  
13 Government --

14 THE COURT: Whose phone is this?

15 THE WITNESS: This is from the Apple iPhone that was  
16 seized from Mr. Didani in August of 2016 in Chicago at the  
17 airport.

18 DEFENDANT DIDANI: What was the number?

19 MR. BILKOVIC: 112.8.

20 THE COURT: Any objection? Is there any objection to  
21 this?

22 DEFENDANT DIDANI: No objection, your Honor.

23 THE COURT: Very well. It's admitted as 112.8.

24 MR. BILKOVIC: And could I publish this to the jury,  
25 your Honor?

1 THE COURT: Yes, you may.

2 MR. BILKOVIC: If we could zoom in on the top half  
3 where it goes down to the word "yeah."

4 BY MR. BILKOVIC:

5 Q. So is this how that appeared in the phone? This was a  
6 photograph in the phone?

7 A. Yes.

8 Q. And the person that is receiving the text, would they be  
9 the gray text or the blue text?

10 A. The person -- the possessor of the text would be the blue  
11 text.

12 Q. The possessor of the device would be the blue text?

13 A. Yes.

14 Q. And again, this was on a device that was obtained from  
15 Mr. Didani?

16 A. Yes.

17 Q. Can you read the person, purportedly Jack Colombo, the top  
18 text message?

19 A. "It is better that you send it back. And he need to cross  
20 over the border and send it as national parcel. Yes. He will  
21 advise you."

22 Q. I don't need you to read the next line, but the blue  
23 response, the device holder response?

24 A. All of it?

25 Q. Don't read that, but there's a response in device holder?

1 A. "My lawyer call for the" --

2 Q. No, no, no. What's up on the screen?

3 A. "Cock suckers."

4 Q. I said don't read it. I wanted you to just say that he  
5 responded.

6 A. He responded.

7 Q. Okay. Could we go to the bottom half.

8 A. Yes.

9 MR. BILKOVIC: Could you display on that? Thank you.

10 BY MR. BILKOVIC:

11 Q. And what does the device holder send in the first blue box.

12 A. "My lawyer call for the phones. They got and they say he  
13 can have the phone next week. They didn't find any think."

14 Q. And then the next box, blue box?

15 A. "LO, LOL."

16 Q. And how does the person, purportedly Jack Colombo, respond?

17 A. "LOL. Take them and throw them to river."

18 MR. BILKOVIC: Okay. We can take that down.

19 BY MR. BILKOVIC:

20 Q. Do you recall when you went through that device seeing any  
21 photographs of text message conversations with somebody with --  
22 that was identified as Puzio?

23 A. Yes.

24 Q. Can you look at Government's proposed Exhibit 5.8, 5.9 and  
25 5.10, and tell me when you're done reviewing those.

1 A. I'm good.

2 Q. Are you familiar with them?

3 A. Yes, I am.

4 Q. Starting with 5.8, can you describe what 5.8 is?

5 A. Yes. This is a message.

6 Q. I'm sorry. Without getting into the content of it, can you  
7 just describe what it is that you're looking at there?

8 A. Yes. They're photographs of images of another phone  
9 conversation on a separate device within a message thread with  
10 an individual named -- listed as "Puzio" on the top.

11 Q. And what is the date on the text message thread?

12 A. June 17, 2016.

13 Q. Can you look at Government's proposed Exhibit 5.9 and tell  
14 me what that is?

15 A. This is a closer-up view of the previous image and the  
16 message thread, the picture of another phone conversation on  
17 another device.

18 Q. Now --

19 A. Appearing to be in another language.

20 Q. It will make more sense once I show them, but basically 5.9  
21 is that something that the Government or that you enlarged in  
22 order to be able to read it?

23 A. Yes.

24 Q. And then Government's 5.10, what is that?

25 A. This is the translation of the previous photograph of the

1 message thread.

2 Q. And that was translated by a company that did the  
3 translations for us?

4 A. Correct.

5 Q. Now, did you also do anything to try and attempt to  
6 translate that message?

7 A. I did. When we originally found the message, I utilized  
8 Google translate to provide me with a loose translation of what  
9 the message said.

10 Q. And does the translation in Government's 5.10 that was done  
11 by a translation company mirror basically the translation that  
12 you did with Google?

13 A. Yes, it does.

14 MR. BILKOVIC: Your Honor, at this time I would move  
15 for admission into evidence of Government's proposed Exhibit  
16 5.8, 5.9 and 5.10. If the Court wishes to admit 5.10  
17 conditionally, I would indicate to the Court that if there is  
18 not a stipulation we will have a witness later to testify about  
19 the accuracy of the translation.

20 THE COURT: Any objection to --

21 DEFENDANT DIDANI: Objection, your Honor. This is --

22 THE COURT: Wait. I don't have my question out yet.

23 DEFENDANT DIDANI: Oh.

24 THE COURT: Is there any objection to 5.8, 5.9 or  
25 5.10?

1                   DEFENDANT DIDANI: Yes, your Honor. It's pure  
2 speculation, and there's no foundation about Polish --

3                   THE COURT: There's no foundation about what?

4                   DEFENDANT DIDANI: Polish. It is Polish language,  
5 speaking Polish.

6                   THE COURT: Okay. Is 5.8 in Polish?

7                   MR. BILKOVIC: Yes, your Honor. I was going to ask  
8 that before I published it.

9                   THE COURT: Is 5.9 in Polish?

10                  MR. BILKOVIC: Yes. Those are the same messages.  
11 It's just 5.9 is an enlarged version of 5.8. And then 5.10 is  
12 the translation of 5.9 and 5.8.

13                  THE COURT: Okay. It's reserved until you have the --  
14 on speculation, that's overruled. I assume you're saying that  
15 the words are speculation. Is that what you're saying?

16                  DEFENDANT DIDANI: Yes, your Honor.

17                  THE COURT: That's overruled.

18                  MR. BILKOVIC: I know the Court is reserving. Does  
19 that mean the Court does not want me to get into the  
20 translation at this point?

21                  THE COURT: I don't.

22                  MR. BILKOVIC: Okay. Let's at least go through 5 --  
23 what about 5.8 and 5.9, your Honor, the actual photographs from  
24 the phone?

25                  THE COURT: Are they in Polish?

1 MR. BILKOVIC: They are in Polish.

2 THE COURT: Any objection to them being shown in  
3 Polish, other than speculation?

4 DEFENDANT DIDANI: No, your Honor. No.

5 THE COURT: Very well. 5.8 and 5.9 are admitted.

6 MR. BILKOVIC: And can we publish 5.8 to the jury?

7 THE COURT: Yes.

8 MR. BILKOVIC: Thank you, your Honor.

9 And can we zoom in just on the top, starting at the  
10 very top of the phone down to the end -- no, top of the phone  
11 down to the end of the first message. All the way down, the  
12 end of the first message. Keep going higher where we capture  
13 the whole phone. Okay.

14 BY MR. BILKOVIC:

15 Q. Now, you can't read necessarily the writing there; correct?

16 A. Correct.

17 Q. Now, do you have the laser pointer -- or not the laser  
18 pointer, but the pointer?

19 A. Yes.

20 Q. Can you just please point to what we're looking at here,  
21 though. You had indicated there was a contact with a person by  
22 the name of Puzio?

23 A. Yes. This is a message thread that was located within the  
24 device. At the top here you can see the name "Puzio" at the  
25 top. And then this is an image sent by the sender, or the user



1 of the phone. And this appears to be a picture of a BlackBerry  
2 cell phone with that message thread on the screen.

3 Q. And the date on that is ...

4 A. The message thread is June 17, 2016, of the iPhone thread  
5 to clarify.

6 MR. BILKOVIC: And do you see -- if we could zoom in  
7 on --

8 Can I have one moment, your Honor?

9 THE COURT: Yes.

10 (Briefly off the record.)

11 BY MR. BILKOVIC:

12 Q. It's going to be tough to tell, but right there where the  
13 laser pointer is do you see the blurred box?

14 A. I do.

15 Q. Can you put the laser pointer in the middle of the blurred  
16 box, right there?

17 A. Yes.

18 Q. Do you know what that is?

19 A. It says "Sky."

20 MR. BILKOVIC: And can we take that down and can we  
21 put up 5.9, please.

22 BY MR. BILKOVIC:

23 Q. And what are we looking at here.

24 MR. BILKOVIC: And can we just zoom in on the message.  
25 Thank you.

1 BY MR. BILKOVIC:

2 Q. What are we looking at 5.9?

3 A. This is a zoomed-in image of the photograph of the  
4 BlackBerry message thread.

5 Q. And is -- the top line, is that in English?

6 A. Yes, it is.

7 Q. What does the top line indicate?

8 A. It says, "Message destruction time two hours." And then it  
9 follows it up with, "35E6CF@blacksecure.com."

10 Q. Are you familiar with what Black Secure is?

11 A. It's an encrypted software program.

12 MR. BILKOVIC: Okay. Can you take that down.

13 BY MR. BILKOVIC:

14 Q. Now, you said this was dated June 17, 2016?

15 A. Yes.

16 Q. Are you aware of aspects of the financial investigation in  
17 this case?

18 A. Yes, I am.

19 Q. Are you aware of the evidence of Don Larson cashing  
20 approximately \$200,000 in checks from Martin Tibbitts on  
21 June 9, 2016, a week before that message?

22 A. Yes, I am.

23 DEFENDANT DIDANI: Objection, your Honor. He's  
24 leading the witness.

25 THE COURT: It was suggesting the answer, yes.

1 BY MR. BILKOVIC:

2 Q. Are you aware of any financial transactions between Martin  
3 Tibbitts and Don Larson in this investigation?

4 A. Yes, I am.

5 Q. More than one or just one?

6 A. Several.

7 Q. And do you recall the approximate months and years of  
8 those?

9 A. Yes.

10 Q. What are the months and years, the best of your  
11 recollection?

12 A. From June of 2016 to December of 2017.

13 Q. And there was -- so was there a series of transactions in  
14 June of 2016?

15 A. Yes, there were.

16 Q. Can you take a look at Government's proposed Exhibit 3.0.  
17 Tell me if you recognize that -- I'm sorry, not 3.0. I'll back  
18 up. I'm sorry.

19 The phone you indicated, the iPhone, that was seized  
20 from Mr. Didani in Chicago?

21 A. Yes.

22 Q. You said that you did an extraction of that?

23 A. Physical extraction.

24 Q. That you reviewed a physical extraction?

25 A. Yes.

1 Q. Did you or other agents -- actually, you. Did you become  
2 aware that there were items on that phone that did not get  
3 extracted in that physical -- or in that electronic extraction?

4 A. Yes.

5 Q. Can you explain that to the jury?

6 A. I was notified by Border Patrol Officer Josh Bianchi that  
7 there's a Viber application insignia on Mr. Didani's iPhone.

8 Q. What is Viber?

9 A. Viber is an encrypted messaging application similar to  
10 WhatsApp, as I previously explained.

11 Q. And so what did you do when you received that information?

12 A. We physically went through the Viber thread on Mr. Didani's  
13 phone.

14 Q. Was the Viber thread in the extraction?

15 A. It was not.

16 Q. Did you locate a Viber thread on the phone when you  
17 physically went through the phone?

18 A. Yes, we did.

19 Q. And was there a way that you documented that?

20 A. Yes. Agent Bianchi took physical photographs of all the  
21 messages on the phone.

22 Q. Page by page?

23 A. Of the Viber thread, to clarify, yes.

24 Q. And can you take a look at Government's proposed Exhibit  
25 36.0.

1 A. Yes.

2 Q. And tell me if you recognize that?

3 A. This is the beginning of the Viber chat between Mr. Didani  
4 and an individual listed as "Dan Dan" on the top.

5 Q. And that was the Viber chat that was taken directly from  
6 the iPhone, Government's Exhibit 3, that was recovered from  
7 Mr. Didani in Chicago in August of 2016?

8 A. That's correct.

9 Q. And have you reviewed this chat?

10 A. I have.

11 Q. Now, this chat that you have in front of you is  
12 approximately how many pages?

13 A. 37.

14 Q. Is this the entire chat or was there other portions of the  
15 chat?

16 A. No, this is not the entire chat.

17 Q. Have you reviewed the other portions?

18 A. Yes, I have.

19 Q. So this is basically an excerpt from that chat?

20 A. Yes.

21 MR. BILKOVIC: Your Honor, at this time I would move  
22 for admission into evidence of Government's proposed Exhibit  
23 36.0. I would also let the record reflect that Government's  
24 proposed Exhibit 36.3, which I'm not moving to mark, I just  
25 want to make sure the Court is aware that that is the full

1 nonredacted chat and that has been provided to Mr. Didani.

2 THE COURT: All right. Any objection to 36.0?

3 DEFENDANT DIDANI: No objection, your Honor. No  
4 objection.

5 THE COURT: Very well. It's admitted.

6 MR. BILKOVIC: Can we publish it to the jury, your  
7 Honor?

8 THE COURT: Yes, you may.

9 BY MR. BILKOVIC:

10 Q. Now, I'm going to ask you some questions off of this, and  
11 I'm going to go page by page with the dates.

12 MR. BILKOVIC: If we could basically start and zoom in  
13 on the top starting with the time, 11:37 a.m., and go down to  
14 where -- the very bottom right there. Keep going. Right  
15 there.

16 BY MR. BILKOVIC:

17 Q. So you indicated that this is a chat with a person by the  
18 name of Dan Dan?

19 A. Yes.

20 Q. Can you see -- so if we're looking at the blue boxes and  
21 the white boxes what do the blue boxes signify?

22 A. The blue boxes indicate the user of the phone.

23 Q. And in this case that phone was the phone taken from Ylli  
24 Didani?

25 A. That is correct.

1 Q. Now, do you see a photograph next to all of the blue boxes?

2 A. Yes.

3 Q. To the right of the blue boxes?

4 A. Yes.

5 Q. Now, I know it's a small photograph, but do you know who's  
6 in that photograph?

7 A. It's Mr. Didani.

8 Q. And how do you know that?

9 A. I've seen his photo at other times within the iCloud.

10 Q. An enlarged version?

11 A. Yes.

12 Q. And do you know in next to the white boxes who the  
13 individual depicted in that photograph is?

14 A. That is an image of Donald Larson.

15 Q. And if you could look at the middle text. And when I do  
16 that I want to make sure we're talking about the same one. So  
17 take the pointer every time I ask you to look at a text. Could  
18 you take the laser pointer and focus it on the middle text in  
19 the middle of the page. And don't say -- I don't want you to  
20 say the "F" word, but is there a discussion in there about  
21 Viber?

22 A. Yes. It states that Viber was not working.

23 Q. Okay. Thank you. "Viber now was not working"?

24 A. Correct.

25 Q. And the date of that is ...

1 A. July 5th of 2016.

2 MR. BILKOVIC: And can we go to the next page, 36.0-2,  
3 Page 2. And can we zoom in just on the top half.

4 BY MR. BILKOVIC:

5 Q. And what is the date?

6 A. July 13, 2016.

7 Q. And just to make sure we're clear so I don't have to ask  
8 you on every page, this chat, all the chat messages here, are  
9 between the person that has the image of Mr. Didani as well as  
10 Mr. Larson; correct?

11 A. That's correct.

12 THE COURT: What is the date again?

13 MR. BILKOVIC: July 13, 2016.

14 THE COURT: Okay.

15 MR. BILKOVIC: And could we zoom back out and go to  
16 the bottom half.

17 BY MR. BILKOVIC:

18 Q. And if we could just -- if you could read to the jury the  
19 top three blue messages.

20 A. "Just got here today and is on the office down."

21 Q. Go to the next one.

22 A. "Office open tom," presumably tomorrow, "morning."

23 Q. And the next one?

24 A. "Done."

25 Q. Now, the "Office open tom morning," what time is that?



1 A. 12:52 p.m.

2 Q. And the "Done," what time is that?

3 A. 7:01 p.m.

4 Q. And is the "Done" followed by anything?

5 A. Four emojis of a smiley face or grin face.

6 MR. BILKOVIC: Okay. Can we go to the next page.

7 Okay. Could we zoom on the top half.

8 BY MR. BILKOVIC:

9 Q. And again, this is -- we're still on the same date, the  
10 July 13 of 2016?

11 A. Yes. These four emojis at the top are an overlap from the  
12 previous page showing continuation.

13 Q. And when you and/or Agent Bianchi did this did you do that  
14 intentionally to show basically that there was no gap  
15 in-between?

16 A. That's correct.

17 Q. So basically the last bottom message on one page would also  
18 be at the top of the next page?

19 A. Yes.

20 Q. And does Mr. Larson respond to -- or does Dan Dan respond  
21 to the emojis?

22 A. He does. He states, "Great" in all caps.

23 Q. I don't want you to read the profanity, but what is the  
24 response from the blue taking out the profanity?

25 A. "I can sleep good tonight," with three smiley face emojis.

1 MR. BILKOVIC: Okay. Can we zoom back out, and can we  
2 go to the bottom portion.

3 THE WITNESS: Do you want Mr. Larson's or  
4 Mr. Didani's?

5 BY MR. BILKOVIC:

6 Q. I want you to take the laser, the pointer, and I want you  
7 to go to every message so the jury can follow along where  
8 you're reading from. Keep going at the top.

9 A. Mr. Didani stated, "Okay, brother. I'm going to sleep.  
10 Talk to you tom."

11 Q. Followed by ...

12 A. Three smiley face emojis.

13 Q. And then we move to July 14, the next day?

14 A. That's correct. The next day, July 14, 2016, Mr. Larson  
15 replies, "That 5Gs extra from yesterday can pay back Flavia's  
16 mom."

17 Q. And the Didani photograph replies?

18 A. "A ready, dit that, brother."

19 Q. Go to the next page.

20 MR. BILKOVIC: And, Judge, could you ask the jury if  
21 they can see all the writing on there or do I need to keep  
22 doing half at a time? I just want to make sure that if I read  
23 it like this the jury can see it.

24 THE COURT: Can you see that on the screen? Yes?

25 And then some are looking at the screen over here.

1 MR. BILKOVIC: Okay.

2 THE COURT: Okay.

3 BY MR. BILKOVIC:

4 Q. After the "Already did that, brother" and "cool" does the  
5 Didani photograph respond?

6 A. Yes. He asked the question, "Do you have the other phone  
7 with you?"

8 Q. I need you to take your mouse and follow.

9 A. "Do you have the other phone with you," question mark. He  
10 then states, "I need to register that as Signal."

11 Q. Are you aware what Signal is?

12 A. Yes.

13 Q. What is Signal?

14 A. Signal is an encrypted software.

15 Q. And how does Mr. Larson respond?

16 A. "Burnout cell? No."

17 Q. Now, are you familiar with the phrase "burnout cell"?

18 A. I'm familiar with the term "burner cell."

19 Q. What is a burner cell?

20 A. Burner cell is typically defined as a throwaway phone.  
21 It's anonymous with the user.

22 THE COURT: It's a what?

23 THE WITNESS: Like a phone that you can throw away.

24 THE COURT: What word did you use?

25 THE WITNESS: Burner. I'm sorry, your Honor.

1 THE COURT: You said what with a user?

2 THE WITNESS: Anonymous from the user.

3 THE COURT: Okay.

4 MR. BILKOVIC: If we can go to 36.0-5. And can we go  
5 to the bottom half. I'm going to go to the bottom half of  
6 this.

7 BY MR. BILKOVIC:

8 Q. And this is a continuation of July 14, 2016?

9 A. Yes, it is.

10 Q. Let me ask you this. You've reviewed this exhibit prior;  
11 correct?

12 A. Yes.

13 Q. If we are changing dates, will there be a screenshot in  
14 there signifying that we are now on a new date?

15 A. Correct.

16 Q. And are there gaps between some of the dates?

17 A. Absolutely.

18 Q. What are we looking at from the top of this from Mr. Larson  
19 on down?

20 A. So this is Mr. Larson responding to Mr. Didani. He  
21 provides an address of 18642 Woodbine Road, Fraser, Michigan  
22 48026.

23 Q. Are you familiar with that address?

24 A. That is an address that Mr. Larson was residing at during  
25 that timeframe.

1 Q. Okay. Can you continue?

2 A. Mr. Larson continues, "You gonna send me something today?  
3 I don't have \$45 to even put minutes on that phone."

4 Q. And how does the phone holder respond?

5 A. Mr. Didani states, "I try the latest tomorrow. I'm  
6 waiting on" --

7 Q. Hold on. I'm going to stop you for a second. You've got  
8 to read it verbatim.

9 A. "I try the latest tom. I'm waiting on someone to get clean  
10 money and send the order."

11 Q. I want you to read it again, because you missed a word.

12 A. "I try the latest tom. I'm waiting on someone to get clean  
13 that money and send the order."

14 Q. And how does Mr. Larson respond?

15 A. "You can send me cash in FedEx packet inside magazine."

16 MR. BILKOVIC: And can we go to the next page -- I'm  
17 sorry, not the next page -- yes, the next page. Go back. I'm  
18 sorry. This is Government's Page 6 of the exhibit. If we  
19 could zoom in on the top half. Go right to there.

20 BY MR. BILKOVIC:

21 Q. This again contains the last message from Mr. Larson, "You  
22 can send me cash in FedEx packet inside magazine"?

23 A. Yes.

24 Q. How does the phone holder respond?

25 A. He replies "Yesss," with three Ss. "I will, brother."

1 Q. And how does Mr. Larson respond?

2 A. "Okay, LMK. It's all starting to work out, brother," two  
3 exclamation marks.

4 MR. BILKOVIC: If we could take that down. And can we  
5 go to Page 7, 36.0-7. If you could zoom in on the bottom half.

6 BY MR. BILKOVIC:

7 Q. Starting at 12:06, is there a text message from Mr. Larson?

8 A. Yes.

9 Q. And what does it say?

10 A. 06 he says, "Okay."

11 Q. And what is that followed by?

12 A. A photograph of an individual.

13 Q. Do you know who that individual is?

14 A. Yes, I do. It's Martin Tibbitts.

15 MR. BILKOVIC: Could we go to the next page, 36.8.

16 And can we go to the top half and keep going down. Right  
17 there.

18 BY MR. BILKOVIC:

19 Q. And is there a text -- again, is this the photograph of  
20 Martin Tibbitts at the top page?

21 A. Yes, it is.

22 Q. Is there a text message underneath that photograph from  
23 Mr. Larson?

24 A. Yes. He attached the text, "C," as in the letter, "if this  
25 works."

1 Q. And then is there a text message from the device holder  
2 with Mr. Didani's photograph?

3 A. Yes.

4 Q. And what is the text message?

5 A. The message is "MIFreight@yahoo.com."

6 Q. And again, that is that an E-mail address that you're  
7 familiar with?

8 A. Yes, it is.

9 Q. Is that the E-mail address that was tied to the Apple  
10 iCloud accounts registered to Mr. Didani?

11 A. Yes.

12 MR. BILKOVIC: Okay. You can take that down. And  
13 could we go to 36.9.

14 THE COURT: 36.9 or --

15 MR. BILKOVIC: I'm sorry. 36.0, Page 9.

16 THE COURT: Okay.

17 MR. BILKOVIC: And can we go to the bottom of that.

18 BY MR. BILKOVIC:

19 Q. And again, this is still a continuation from July 14, 2016?

20 A. Yes, it is.

21 Q. And on this does the device holder with Mr. Didani's  
22 photograph send anything?

23 A. It sends a photograph.

24 Would you like me to describe the photograph?

25 Q. Please.

1 A. In that photograph it appears he took a photo of another  
2 phone, a BlackBerry device. And on that phone is a picture of  
3 a red duffle bag on the ground containing rectangular-shaped  
4 packages in red packaging and yellow packaging.

5 Q. And in your training and experience have you seen packaging  
6 like this before?

7 A. Many times.

8 Q. In what way?

9 A. During the execution of search warrants and acquisition of  
10 illegal narcotics.

11 Q. Specifically what type?

12 A. Typically packaging like this is consistent with heroin and  
13 cocaine.

14 DEFENDANT DIDANI: Objection, your Honor. That's  
15 speculation.

16 THE COURT: I'm sorry?

17 DEFENDANT DIDANI: It's speculation, your Honor.

18 THE COURT: Do you wish to respond?

19 MR. BILKOVIC: Judge, I believe that he can offer in  
20 his training and experience what this is consistent with. If  
21 Mr. Didani wants to cross-examine him on it, he certainly can.

22 THE COURT: I am going to -- it's overruled. You can  
23 take it up on cross-examination.

24 BY MR. BILKOVIC:

25 Q. And does Mr. Didani follow that with anything?



1 A. He text, "Delete that."

2 MR. BILKOVIC: Okay. Can we go to the next page. And  
3 can we go to the bottom half.

4 BY MR. BILKOVIC:

5 Q. And is there a blue text from Mr. Didani?

6 A. Yes.

7 Q. What does that say?

8 A. At 4:14?

9 Q. Yes.

10 A. At 4:14 he texts, "That's your house."

11 Q. How does Mr. Larson respond?

12 A. "I did not get an E-mail from you."

13 Q. Mr. Didani, does he respond?

14 A. "Just send it now."

15 Q. Mr. Larson?

16 A. "Yahoo," question mark.

17 Q. Mr. Didani?

18 A. "Yes."

19 Q. If we can go to the next page. That would be 36.0-11. And  
20 can you just go to the top half. And does Mr. Larson -- after  
21 Mr. Didani says "Yes" does Mr. Larson respond?

22 A. He responds with, "Got it."

23 Q. And ...

24 A. "I looked and deleted. LMAO. Get some sleep."

25 MR. BILKOVIC: Can we go to 36.0-13, and can we zoom

1 in just on the top half.

2 BY MR. BILKOVIC:

3 Q. And is there a date on this?

4 A. July 22, 2016.

5 Q. And does Mr. Larson send a text message?

6 A. He does.

7 Q. And what is the text message say?

8 A. "Protonmail.com. It's a secure E-mail account. Set one up  
9 and M will send you completed ATM bus. plan. Protonmail.com."

10 Q. And are you familiar with what Proton.com is, or Proton  
11 E-mail is?

12 A. Yes. It's a E-mail software with built-in encryption.

13 Q. And a dumb question, but what does Marty -- Martin  
14 Tibbitts' first name start with?

15 A. M.

16 Q. And are you aware during the investigation whether or not  
17 Martin Tibbitts used Proton mail?

18 A. Yes.

19 Q. And did he?

20 A. Yes.

21 Q. Can we go to Page 36.0-14. And again, we're continuing on  
22 the same day?

23 A. Yes, we are.

24 Q. And does Mr. Larson send a text?

25 A. He does.

1 Q. And what does the text say?

2 A. "How can M get a PGP," Paul, George, Paul, "cell?"

3 Q. Are you familiar with what a PGP cell is?

4 A. PGP typically stands for Pretty Good Privacy, which is an  
5 encrypted software.

6 Q. And how does Mr. Didani respond?

7 A. "Give me address and figure everything."

8 Q. And how does Mr. Larson respond?

9 A. "Whose address?"

10 MR. BILKOVIC: Can we go to the next page. And can we  
11 zoom in just on the top half going down to the address. Keep  
12 going, okay.

13 BY MR. BILKOVIC:

14 Q. And what does Mr. Larson say there?

15 A. Starting at the top?

16 Q. Yes.

17 A. "Whose address? Send it to me."

18 Q. Mr. Didani responds?

19 A. "I'm gone call the jacks people and they will send it."

20 Q. Mr. Larson responds?

21 A. "Okay."

22 Q. And Mr. Didani responds?

23 A. "Send me thw adr."

24 Q. And how does Mr. Larson respond?

25 A. "18642 Woodbine Road, Fraser, Michigan 48026."

1 Q. And again, that was Mr. Larson's address?

2 A. Yes, it was.

3 MR. BILKOVIC: Can we go to Page 36-16. Can we go to  
4 the bottom.

5 BY MR. BILKOVIC:

6 Q. And is there a date on this?

7 A. July 24, 2016.

8 Q. And what is depicted in this?

9 A. This is a photograph of three cell phones, which appear to  
10 be all BlackBerry.

11 Q. Do they appear to be different types of BlackBerrys?

12 A. Different models, correct.

13 Q. And if we go to the next page, 36.0-17. And can we go to  
14 the top half. And again, we show the photograph. Do you see  
15 the photograph?

16 A. I do see the photograph, same photograph from the previous  
17 exhibit.

18 MR. BILKOVIC: Could we go back out and just start  
19 after that and just review the text. Enlarge the text from the  
20 rest of the page down.

21 BY MR. BILKOVIC:

22 Q. Mr. Didani responds -- you might need to use the laser  
23 pointer here, because that's a little difficult to see with the  
24 mouse. Can you use the mouse?

25 A. Yes. So directly --

1 Do you want me to read this?

2 Q. Yes.

3 A. Directly under the image of the three BlackBerry phones  
4 Mr. Didani text, "Classic, Q10, Q5," followed by, "The one in  
5 the middle is Q10 and the best one."

6 Q. Mr. Larson responds?

7 A. "The best one is the choice."

8 Q. And Mr. Didani responds?

9 A. "The middle, Q10."

10 MR. BILKOVIC: Okay. Can we go to the next page,  
11 36.18. And just zoom in on the text if we can.

12 BY MR. BILKOVIC:

13 Q. And we are still on the same page, is that correct,  
14 July 24, 2016?

15 A. Yes, we are.

16 Q. All right. Can we start with Mr. Didani's text, the first  
17 blue text.

18 A. "Okay. I have it ready by next week."

19 Q. Mr. Larson responds?

20 A. "Cool."

21 Q. Mr. Didani responds?

22 A. "I'm gone pay that from your money."

23 Q. And Mr. Larson responds?

24 A. "Okay, three months?"

25 Q. Mr. Didani responds?

1 A. "Six."

2 Q. Now, these cell phones, these encrypted cell phones, were  
3 you aware of whether or not when someone gets one is it  
4 unlimited or is there a subscription that they have to have?

5 A. No. It's typically a subscription.

6 Q. And are we talking like \$20 a month or is it more than  
7 that?

8 A. No. It's much more than that.

9 Q. And are there actually exhibits that you came across during  
10 the investigation that advertised the price of the  
11 subscriptions?

12 A. Yes.

13 Q. Okay. And can we go to 36.0, Page 19. Can we just go to  
14 the top portion. And what date are we on now?

15 A. July 29, 2016.

16 Q. And can we go to the next page, 36.0-20. And can we go  
17 down to the bottom half. Now, is there a text message from  
18 Mr. Larson at 4:08 p.m.?

19 A. Yes. It states, "Getting pre-approved for a home loan. He  
20 said I have to pay off my credit card, nine grand, plus taxes,  
21 8,500, et cetera. I can get this house on water canal."

22 Q. How does Mr. Didani respond?

23 A. "Nice one," followed by four question marks.

24 MR. BILKOVIC: Can we go to the next page, 36.0-21,  
25 and can we zoom in on the top half.

1 BY MR. BILKOVIC:

2 Q. And after the question marks that were from the previous  
3 page does Mr. Didani send a text?

4 A. Yes, he does.

5 Q. What is that?

6 A. "We gone pay all that."

7 Q. Mr. Larson?

8 A. "Fixer upper. I can get it cheap."

9 Q. And can we go to the bottom half. Can we start with the  
10 first text from Mr. Didani.

11 A. "Call POL."

12 Q. Next line?

13 A. "Do you want me to call POL?"

14 Q. And does Mr. Larson respond?

15 A. He does. He states, "Need to move last seven."

16 Q. And how does Mr. Didani respond?

17 A. "I know."

18 Q. Mr. Larson, does he respond?

19 A. He responds with, "Need," followed by three money signs.

20 Q. And does he follow with anything after that?

21 A. "I don't wanna miss out on this house."

22 MR. BILKOVIC: Can we move to 36.0, Page 24. And can  
23 we zoom in on the bottom half with the date.

24 BY MR. BILKOVIC:

25 Q. And again, we're moving forward now to another date?

1 A. Yes, August 1, 2016.

2 Q. And can we go to 36.0, Page 27. And again, we're staying  
3 on the same date, August 1, 2016?

4 A. Yes, we are.

5 Q. We'll go to the top half. And does Mr. Larson send a text  
6 message?

7 A. He does. It states, "Is other package gone yet?"

8 Q. Mr. Didani responds?

9 A. "Looking for ticket. Is ready for shipment."

10 Q. And does Mr. Larson respond to that?

11 A. He does. "Nice. So Turk may happen this week before you  
12 leave for Mex?"

13 Q. Can we go to the bottom half. And can you read the text  
14 messages here starting with the top one and who it's from?

15 A. Yes. There's sequential messages from Mr. Didani here  
16 stating, "I'm trying, but with same guy. The other guy I was  
17 looking for is not moving for few weeks. We need the money.  
18 House. Tickets. Lots of expenses."

19 MR. BILKOVIC: And can we go to 36.0, Page 28, and  
20 could we zoom in on the top half.

21 BY MR. BILKOVIC:

22 Q. After the "lots of expenses" that Mr. Didani sent that's  
23 also on the previous page, does Mr. Larson respond?

24 A. Yes, he did. He responded with, "Yes, I have so many  
25 bills, plus I'm buying that house."



1 Q. And Mr. Didani, does he respond?

2 A. He responds with, "Hotel. That's what I'm saying."

3 Q. And Mr. Larson, does he respond?

4 A. He does with, "If you do that, I need at least 30K."

5 Q. And can we go to the bottom half. And does Mr. Didani  
6 respond to the "I need 30K"?

7 A. He responds with, "I know, brother."

8 Q. Okay. Can we go to 36.0, Page 30. And again, just on the  
9 top, what is the date here?

10 A. August 2, 2016.

11 Q. Okay. So the following text messages until we come to  
12 another date will be from August 2, 2016?

13 A. Yes.

14 Q. Can we go to 36.0, Page 32, and can we go to the bottom  
15 half. We'll start with the white text message from Mr. Larson  
16 at 3:14 p.m. Do you see that?

17 A. I do.

18 Q. Can you read that?

19 A. "Okay. I will leave a note on door in case. Don't tell M  
20 anything about Turkey. We will pay him back everything on  
21 other end. We need that money."

22 Q. And does Mr. Didani respond?

23 A. He responds with, "Okay. You need to tell me what to say."

24 MR. BILKOVIC: And can we go to the next page,  
25 36.0-33, and can we zoom in on the top half.

1 BY MR. BILKOVIC:

2 Q. And so we have the top message from Mr. Didani, "Okay, you  
3 need to tell me what to say" from the previous page. Does  
4 Mr. Larson respond?

5 A. He responds with, "I gotta get this house. I'm gonna make  
6 it bad ass."

7 Q. And does Mr. Larson continue to send another text?

8 A. Mr. Larson sends another text. It states, "He knows we  
9 moved 10. Leave it at that. He keeps asking about drone  
10 engineer."

11 Q. And can we go to the bottom half. How does Mr. Didani  
12 respond to that message about "He knows we moved 10, he keeps  
13 asking about the drone engineer"?

14 A. At 3:16 he replied, "I had meeting today."

15 Q. Can we go to 36.0-34. And we're still on August 3, 2016?

16 A. Yes.

17 Q. And can you read basically the -- go to the top half, and  
18 starting up with Mr. Larson.

19 A. "What's up brotha."

20 Q. Mr. Didani, does he respond?

21 A. "The phone?"

22 Q. Mr. Larson?

23 A. "Been at gym all day. Going home in one hour."

24 Q. And Mr. Didani?

25 A. "Okay. Let me know."

1 Q. Mr. Larson?

2 A. "I will."

3 Q. Can we go to the bottom half. Does Mr. Didani start this  
4 text message?

5 A. Yes. It states, "Let me know when you get it and I need a  
6 code from there."

7 Q. Mr. Larson respond?

8 A. Yes. He responds with, "Is the code in packing envelope?"

9 Q. And does Mr. Didani respond?

10 A. Yes, with, "Is on the phone when put in PN." And then he  
11 changed it to "on" with an asterisk following that.

12 Q. Can we go to the 36.0, Page 35. Can we go to the top half.  
13 Mr. Larson's first text message?

14 A. "K."

15 Q. And Mr. Didani?

16 A. "K."

17 Q. And Mr. Larson?

18 A. "Got it, turning it on."

19 Q. And was this the text message that followed the discussion  
20 of a phone?

21 A. Yes, it was.

22 Q. Can we go to the bottom half. Now, you see series of out  
23 coming and -- outgoing and incoming calls?

24 A. Yes.

25 Q. And you don't have content for those; correct?

1 A. That's correct.

2 Q. All right. What does Mr. Didani text here?

3 A. At 2:20 p.m. he text, "Turn the phone on."

4 Q. And how does Mr. Larson respond?

5 A. "I did."

6 Q. And how does Mr. Didani respond?

7 A. "Go to Sky ECC."

8 MR. BILKOVIC: And can we go to 36.0-36. And again,  
9 don't zoom in yet.

10 BY MR. BILKOVIC:

11 Q. The top is just the "go to Sky ECC"; correct?

12 A. Yes.

13 Q. It says, "Continuation." Now, is there another date that  
14 we move on to another date here?

15 A. Yeah, August 4, 2016, about halfway down the page.

16 MR. BILKOVIC: Can we zoom in on that.

17 BY MR. BILKOVIC:

18 Q. And is there a text message that Mr. Larson sends?

19 A. Yes. At 10:32 a.m. he texts, "Call when you can. M can't  
20 fig out how to access encrypted messaging, et cetera."

21 MR. BILKOVIC: Okay. You can take that down. Thank  
22 you.

23 BY MR. BILKOVIC:

24 Q. Now, based on your investigation and the evidence you  
25 uncovered, did it appear that Mr. Didani and Mr. Tibbitts were

1 close to each other?

2 A. Yes.

3 Q. Did you see evidence of Mr. Tibbitts in Mr. Didani's iCloud  
4 productions?

5 A. Yes, I did.

6 Q. Did you see evidence of Mr. Tibbitts in Mr. Didani's cell  
7 phone?

8 A. Yes.

9 Q. I'm going to take you to -- have you go to Government's  
10 proposed Exhibit 115.2, and tell me if you recognize that?

11 A. I do.

12 Q. And is that a photograph taken off one of Mr. Didani's  
13 iCloud accounts?

14 A. Yes, it is.

15 Q. And who is the photograph of?

16 A. Mr. Martin Tibbitts and Mr. Ylli Didani.

17 Q. I'm sorry. What number are you looking at?

18 A. 115.1.

19 Q. I'm sorry. 115.2.

20 A. I'm sorry. 115.2 is a Michigan enhanced driver's license  
21 of Martin J. Tibbitts.

22 Q. And this was found in Mr. Didani's iCloud, this photograph?

23 A. That's correct.

24 MR. BILKOVIC: Your Honor, at this time I would move  
25 for admission into evidence of Government's proposed Exhibit

1 115.2.

2 THE COURT: Any objection?

3 DEFENDANT DIDANI: No objection, your Honor.

4 THE COURT: Very well. It's admitted.

5 MR. BILKOVIC: And can I publish it to the jury?

6 THE COURT: You may.

7 BY MR. BILKOVIC:

8 Q. Now, there's information redacted out on here, correct,  
9 personal identifying information?

10 A. Yes.

11 Q. But who is this a driver's license for?

12 A. Martin J. Tibbitts.

13 Q. And this was a photograph again on the iCloud of  
14 Mr. Didani?

15 A. Yes, it was.

16 Q. Is there an issue date on the driver's license?

17 A. The issue date is November 5, 2015.

18 Q. And is there an expiration date? I know part of it's  
19 blacked out, but is there an expiration year?

20 A. Yes. The year is 2019.

21 MR. BILKOVIC: Can we take that down.

22 BY MR. BILKOVIC:

23 Q. Detective Leach, can you look at Government's proposed  
24 Exhibit 115.3. Do you recognize that?

25 A. Yes.

1 Q. And what is that?

2 A. This is a United States passport for Martin Tibbitts.

3 Q. And this is a photograph of a passport?

4 A. Yes, photograph of the passport.

5 Q. And this photograph was found in Mr. Didani's iCloud?

6 A. Yes, it was.

7 MR. BILKOVIC: Your Honor, at this time I would move  
8 for admission into evidence of Government's proposed Exhibit  
9 115.3.

10 THE COURT: Any objection?

11 DEFENDANT DIDANI: No objection, your Honor.

12 THE COURT: Very well. 115.3 is admitted.

13 MR. BILKOVIC: May I publish it to the jury?

14 THE COURT: You may.

15 BY MR. BILKOVIC:

16 Q. And again, this is a passport from Martin Tibbitts?

17 A. Photograph of the passport, yes.

18 Q. And is there a date -- issuance date and expiration date on  
19 the passport? I know it's kind of small, but --

20 A. Date of issue was September 4, 2009, with an expiration of  
21 September 3, 2019.

22 Q. Now, do you know from your review of Mr. Tibbitts' iCloud,  
23 could you tell whether or not Mr. Didani and Mr. Larson ever  
24 traveled together, traveled to the same locations?

25 A. Mr. Didani and Mr. Larson?

1 Q. I'm sorry. Mr. Didani and Mr. Tibbitts.

2 A. Yes.

3 Q. Can you take a look at Government's proposed Exhibit 115.6.  
4 Can you tell me if you recognize that?

5 A. I do.

6 Q. And what is that that you're looking at there?

7 A. This is a photograph of Mr. Tibbitts and Mr. Didani.

8 Q. And this was found on the iCloud?

9 A. That's correct.

10 Q. Mr. Didani's iCloud?

11 A. Yes.

12 MR. BILKOVIC: Your Honor, I would move for admission  
13 into evidence of Government's proposed Exhibit 115.6.

14 THE COURT: Any objection?

15 DEFENDANT DIDANI: No objection, your Honor.

16 THE COURT: Okay. It's admitted.

17 MR. BILKOVIC: And can we publish it to the jury?

18 THE COURT: Yes, you may.

19 MR. BILKOVIC: And can we just zoom in on the --  
20 maybe an inch, from there down to the bottom.

21 BY MR. BILKOVIC:

22 Q. And the person on the left if you're looking at the  
23 photograph is who?

24 A. Martin Tibbitts.

25 Q. The person on the right?



1 A. Ylli Didani.

2 Q. Do you know when this photograph was taken?

3 A. I do.

4 Q. Where was it taken?

5 A. Antwerp, Belgium.

6 Q. And how do you know that?

7 A. Geotag location data from the photo.

8 THE COURT: And it's where again?

9 THE WITNESS: Antwerp, Belgium.

10 BY MR. BILKOVIC:

11 Q. Do you know where Belgium is in relation to the  
12 Netherlands?

13 A. I do.

14 Q. Where is it in relation to the Netherlands?

15 A. Southeast.

16 Q. Is it a bordering country, do you know?

17 A. It is a foreign country.

18 Q. I'm sorry. A bordering country.

19 A. Yes.

20 THE COURT: Is it a what?

21 MR. BILKOVIC: Bordering country.

22 THE COURT: What main country?

23 BY MR. BILKOVIC:

24 Q. I'll ask it a different -- a better way. Does Belgium  
25 border the Netherlands?

1 A. Yes.

2 Q. Do they share a border?

3 A. Yes.

4 Q. And can you take a look at Government's proposed Exhibit  
5 115.1. Tell me if you recognize that?

6 A. 115.1 is a photograph of Martin Tibbitts and Ylli Didani  
7 sitting in a vehicle.

8 Q. Also from Mr. Didani's iCloud?

9 A. Yes.

10 MR. BILKOVIC: Your Honor, at this time I would move  
11 for admission into evidence of Government's proposed Exhibit  
12 115.1.

13 THE COURT: Any objection?

14 DEFENDANT DIDANI: No objection, your Honor.

15 THE COURT: It's admitted.

16 MR. BILKOVIC: And can I just briefly publish it to  
17 the jury?

18 THE COURT: You may.

19 BY MR. BILKOVIC:

20 Q. And again, Mr. Tibbitts would be where in this photograph?

21 A. Looking at the photo, he is the gentleman on the left in  
22 the blue shirt.

23 Q. Mr. Didani is on the right?

24 A. Correct.

25 MR. BILKOVIC: Okay. Take that down.

1 BY MR. BILKOVIC:

2 Q. Are you familiar with a company in your investigation  
3 called Peregrine 360?

4 A. Yes, I am.

5 Q. And how is it that you're familiar with that company?

6 A. Through multiple identifiers through Mr. Didani's iCloud  
7 during the duration of this investigation.

8 Q. And are you aware -- have you met with anybody from  
9 Peregrine 360 during your investigation?

10 A. Yes. One of the co-owners when the business was active.

11 Q. And are you aware what Peregrine 360 was doing as it  
12 relates to this investigation?

13 A. Yes.

14 Q. What were they doing?

15 A. They are a design prototype and engineering company, and  
16 they were tasked with designing a drone for an individual named  
17 under the name of Dale Johnson.

18 Q. During your investigation, did you learn who Dale Johnson  
19 was?

20 A. Yes.

21 Q. And who is that?

22 A. Martin Tibbitts was utilizing the pseudo name Dale Johnson.

23 Q. How do you know that?

24 A. Through E-mail and Skype communications between the person  
25 utilizing Dale Johnson and Peregrine 360 that we received from

1 the company, and also communications with that same Skype  
2 moniker and message thread located in a Surface Pro owned by  
3 Martin Tibbitts.

4 MR. BILKOVIC: If I could just have one moment, your  
5 Honor.

6 (Briefly off the record.)

7 BY MR. BILKOVIC:

8 Q. Can you take a look at Government's proposed Exhibit 115.8.

9 Actually, I'm going to back you up a second. I'm  
10 going to have you look at something different first. Can you  
11 look at Government's proposed Exhibit 19.0. Tell me if you  
12 recognize that?

13 A. Yes, I do.

14 Q. I know the writing is small, but is that a E-mail that you  
15 received from Peregrine 360, a copy of an E-mail, as well as an  
16 E-mail that you located in Mr. Didani's iCloud information?

17 A. Yes, it is.

18 Q. And what is the date on the top of the E-mail?

19 A. The copy of the E-mail chain starts on May 4, 2017, in this  
20 photo.

21 Q. And is there a person that the -- is there the content of  
22 the E-mail?

23 A. Yes. It appears a gentleman by the name of Zaid Lattouf is  
24 sending an E-mail addressed to a Dale Johnson.

25 Q. And what how does he greet Dale Johnson, the top line?

1 A. "Hello Dale."

2 MR. BILKOVIC: Your Honor, at this time I would move  
3 for admission into evidence of Government's proposed Exhibit  
4 19.0 and request permission to publish it to the jury.

5 THE COURT: Any objection?

6 DEFENDANT DIDANI: No objection, your Honor.

7 THE COURT: All right. It's admitted as 19.0.

8 MR. BILKOVIC: Thank you. And can I publish it to the  
9 jury, your Honor?

10 THE COURT: You may.

11 MR. BILKOVIC: Can we zoom in on just the top half.  
12 Go down to -- that's enough. Go actually up higher. That's  
13 good. Thank you.

14 BY MR. BILKOVIC:

15 Q. You said Zaid Lattouf. Do you know who Zaid Lattouf is?

16 A. Yes. He's also one of the founders of Peregrine 360.

17 Q. And you indicated this E-mail was an E-mail from May 4,  
18 2017?

19 A. Yes, it is.

20 Q. And can you read the top half of the E-mail that Zaid  
21 Lattouf sent to Dale.

22 A. Yes. From Mr. Larson it states, "Hello, Dale. Please send  
23 it to my colleague, Carl. His information is here. Name Carl  
24 Chaumont. Phone number +1514618099. Country, Canada, state  
25 Province, Quebec, Address 2820 Rue des Francs-Bourgeois,

1 Boisbriand, QC," for Quebec, "JTH 1M9."

2 Q. I'm going to have you stop right there.

3 Can you take a look at Government's proposed Exhibit  
4 115.8.

5 A. Yes.

6 Q. And what is -- do you recognize that?

7 A. I do.

8 Q. And what is Government's proposed Exhibit 115.8?

9 A. This is a photograph of a message thread located in the  
10 iCloud of Mr. Didani. A message thread on the top is addressed  
11 -- or with phone number +13136703334.

12 Q. And do you know whose phone number that is?

13 A. Yes.

14 Q. And whose phone number is that?

15 A. Martin Tibbitts.

16 Q. And is there a message on that document or on that  
17 photograph from Martin Tibbitts to Mr. Didani on May 4, 2017,  
18 at 1:57 p.m.?

19 A. Yes, there is.

20 Q. Is that the same date, but later in the day from when the  
21 E-mail was sent front Zaid Lattouf to Dale Johnson?

22 A. Yes.

23 MR. BILKOVIC: Your Honor, at this time I would move  
24 for admission into evidence of Government's proposed Exhibit  
25 115.8.

1 THE COURT: Any objection?

2 DEFENDANT DIDANI: Your Honor, at this time I'm going  
3 to object, because now it's coming to hearsay. Actually, Marty  
4 is dead and he's not -- Mr. Bilkovic has not laid a foundation  
5 as a co-conspirator. So at this point we -- it's going to be  
6 all hearsay, your Honor.

7 THE COURT: Okay. Did you go over that relative to  
8 Mr. Tibbitts yesterday?

9 MR. BILKOVIC: We went over it relative with  
10 Mr. Larson, which I would argue the same evidence applies with  
11 respect to Mr. Tibbitts, because he was actually the one that  
12 funded the checks.

13 I would also indicate to the Court that I believe that  
14 we had a pretrial ruling on this, or discussion on this, that  
15 the Court would consider taking things conditionally upon  
16 establishing the conspiracy during the trial. I believe that  
17 we have established evidence that there was the conspiracy for  
18 the foundation for the exhibit.

19 But I would also add one more thing, that this is  
20 actually a conversation between Marty Tibbitts and Ylli Didani,  
21 and Ylli Didani's responses are relevant and they are  
22 admissible.

23 And as an additional basis for the admission of Martin  
24 Tibbitts' statements, those are also admissible in addition to  
25 being co-conspirator statements. They are admissible in order

1 to put Mr. Didani's replies in context.

2 The Court: Do you want to respond?

3 DEFENDANT DIDANI: Your Honor --

4 THE COURT: Why don't you think he put the elements  
5 that I put forth yesterday?

6 DEFENDANT DIDANI: Well, there is no --

7 THE COURT: Hold on for a second.

8 The jury may step down. Please rise for the jury.

9 (The jury left the courtroom at 11:13 a.m.)

10 THE COURT: You may all be seated.

11 Yesterday I outlined for you what the Government had  
12 to show to have such a co-conspirator statement admitted. Why  
13 don't you think they haven't met that relative to Mr. Tibbitts?

14 DEFENDANT DIDANI: Well, your Honor, as far as the  
15 messages the Government -- I don't see any element of the  
16 conspiracy. The Government has not established foundation that  
17 any conspiracy even exists over here as far as right now.

18 And unfortunately Mr. Tibbitts is not here to ask or  
19 cross-examine what the Government trying to portray and lay in  
20 front of the jury, your Honor.

21 THE COURT: Trying to portray what?

22 DEFENDANT DIDANI: That a conspiracy existed. As a  
23 moment right now, the Government is about two hours away here  
24 with Detective Leach. He said --

25 THE COURT: Two hours away?



1           DEFENDANT DIDANI: They sitting away two hours, your  
2 Honor. They hasn't laid no foundation for conspiracy, your  
3 Honor.

4           THE COURT: Okay. You can respond to that. That's  
5 one of the elements.

6           MR. BILKOVIC: Your Honor, I believe that it's not  
7 just with Agent Leach. It's with all of the testimony in this  
8 case. The Court has heard testimony that Mr. Tibbitts wrote  
9 approximately a million dollars in checks to Donald Larson who  
10 instead of cashing those majority of those checks at the bank  
11 took them to a check cashing place on three different dates  
12 where he paid a fee.

13           There was further testimony that a pilot flew  
14 Mr. Larson to Washington, D.C., and the evidence will show in  
15 this trial and it will show it shortly because there is an  
16 offer of proof, there are photographs of Mr. Didani in  
17 Washington, D.C. with that money. There is a text message  
18 string between Mr. Larson and Mr. Didani while Mr. Larson was  
19 in the air and Mr. Didani alerting him to be careful when he  
20 lands because D.C. is crawling with police.

21           There will be additional evidence presented in the  
22 case that Mr. Didani then took that money and, as Agent Newsome  
23 testified already, took that money to New York where he gave it  
24 to a money launderer.

25           This Court has also heard text messages -- or seen

1 text messages where in June of 2016, approximately a few weeks  
2 after the initial \$200,000 transaction, Mr. Larson was telling  
3 Mr. Didani that he needed money. Mr. Didani responded by  
4 sending him a duffle bag with what appears to be several  
5 packages that were packaged like cocaine along with the text  
6 message, "Delete that." And then telling Mr. Larson, "That's  
7 your house."

8 So I believe at this point that we have established  
9 basically that a conspiracy existed. I would also indicate  
10 that these two exhibits themselves tie into the conspiracy,  
11 because the evidence has been produced -- starting to produce  
12 that Peregrine 360 was designing a torpedo that would hold  
13 cocaine via magnets and basically go across the ocean carrying  
14 cocaine where it would be then detached and the cocaine would  
15 be picked up.

16 When Mr. Tibbitts was having that communication with  
17 Peregrine, he used an alias, Dale Johnson. What this exhibit  
18 is going to show is that on the exact same day that Zaid  
19 Lattouf sent Mr. Tibbitts, or Dale Johnson, an E-mail about  
20 payment, Mr. Tibbitts copied and pasted that exact E-mail, and  
21 the exhibit I'm trying to get in, he then sent that to  
22 Mr. Didani instructing him about the payment, which then ties  
23 together that Dale Johnson was, in fact, Marty Tibbitts.

24 THE COURT: Is there any other of the requirements for  
25 a co-conspirator statement to come in that you think the

1 Government has not met?

2 DEFENDANT DIDANI: Your Honor, as Mr. Bilkovic is  
3 speaking, as Agent Newsome testified or -- Mr. Tibbitts cash  
4 out these checks, give it to Don Larson. That's a story. Don  
5 Larson give it back, some of it he cash it.

6 We first heard right now that from Agent Newsome, and  
7 we gonna hear from Detective Leach, that the money it was not  
8 only went to Washington, but the money somehow was moved to New  
9 York.

10 So basically other than Donald Larson saying what the  
11 Government wants them to say, there is no foundation for  
12 conspiracy, your Honor. There is not even an element. There  
13 is no conversation, just, oh, "That can be your house." What  
14 is that supposed to mean, your Honor? Is that a conspiracy?  
15 Or, here go a bag, a bag what looks like it can be anything,  
16 anything. There is no -- no agent to experience -- to say  
17 what's in those bags, is it marijuana, is it heroin, is it  
18 cocaine. It's something we don't even know.

19 And, if Mr. Bilkovic think that sending this bag --  
20 well, this bag can be your house, if Mr. Bilkovic think that  
21 this -- it's a element of the conspiracy, then okay.

22 THE COURT: Okay. Your objection is noted for the  
23 record. It's overruled. And I think that I can let it in for  
24 Mr. Bilkovic to tie it up if he wants to, but right now I'm  
25 going to permit it. So your objection is overruled.

1 DEFENDANT DIDANI: Thank you, your Honor.

2 THE COURT: Do you all want to break now or later?

3 MR. BILKOVIC: I think it would be a good time to take  
4 one, because I don't have that much more. Probably about 10,  
5 15 more minutes more, but I think now would be a good time.  
6 We've been going almost two hours.

7 THE COURT: Mr. Fink?

8 MR. FINK: I can wait those 10 or 15 minutes, but I do  
9 need one at some point. So whichever you prefer.

10 THE COURT: Let's take it now, ten minutes, all right.

11 MR. FINK: Thank you.

12 MR. BILKOVIC: Thank you, your Honor.

13 (At 11:19 a.m., a brief recess was taken.

14 Back on the record at 11:38 a.m.)

15 LAW CLERK: All rise. Court is back in session.

16 THE COURT: Let's bring out the jury.

17 LAW CLERK: All rise for the jury.

18 (The jury entered the courtroom at 11:39 a.m.)

19 THE COURT: All right. You may all be seated.

20 Are you satisfied the jurors are present and in their  
21 proper seats?

22 MR. BILKOVIC: Yes, your Honor.

23 DEFENDANT DIDANI: Yes, your Honor.

24 THE COURT: Very good. I am, too.

25 Mr. Leach, you're still under oath.

1 THE WITNESS: Yes, your Honor.

2 THE COURT: Mr. Didani, your objection is overruled at  
3 this time.

4 You may proceed.

5 MR. BILKOVIC: Your Honor, has 115.8 been admitted?

6 THE COURT: Yes.

7 MR. BILKOVIC: And can I publish it to the jury?

8 THE COURT: Yes.

9 MR. BILKOVIC: Please publish 115.8. And just do the  
10 top half so we get basically the top third.

11 BY MR. BILKOVIC:

12 Q. And so this was the photograph of the text message that was  
13 located in Mr. Didani's iCloud?

14 A. That's correct.

15 Q. And the phone number again at the top, the 313 670-3334,  
16 you identified that as whose phone number?

17 A. That is subscribed to Martin Tibbitts.

18 Q. And the text messages here, the different colors, the gray  
19 and the blue, who would be the gray and who would be the blue?

20 A. The gray would be Mr. Tibbitts, and the blue would be the  
21 user of this phone.

22 Q. And again, the user of the iCloud account, this is  
23 registered to Ylli Didani?

24 A. That's correct.

25 Q. And can you go to the text message on the bottom, May 4,

1 2017, at 1:57. What does Mr. Tibbitts text?

2 A. "Hey, brother."

3 Q. No, the bottom.

4 A. I'm sorry.

5 Q. The last one.

6 A. "Okay. Got E-mail from engineer. Send to this guy  
7 instead."

8 Q. And then could we go to the bottom half. Just that portion  
9 right there. Just there.

10 A. "Name, Carl Chaumont, phone number +15146188099."

11 Q. I'm going to stop you for a second. I don't need you to  
12 read the whole thing, but is this the same information that was  
13 sent hours earlier from Zaid Lattouf to Dale Johnson?

14 A. That's correct.

15 MR. BILKOVIC: And, Ms. DiCarlo, would you be able to  
16 put up 119.0, the relevant portion, and 115.8 side-by-side?

17 THE COURT: What is the exhibit number of the other  
18 one?

19 MR. BILKOVIC: Well, the first one is 19.0.

20 THE COURT: Okay.

21 MR. BILKOVIC: The E-mail. And the other one is  
22 115.8. And can we zoom in just on the address section. Yeah.  
23 Start with the "Carl Chaumont," the name. Yeah. And then  
24 could we just zoom in on the box.

25

1 BY MR. BILKOVIC:

2 Q. And so the one on the left is from the E-mail, the one on  
3 the phone is from Mr. Didani's iCloud; correct?

4 A. Yes.

5 Q. The content, is it identical?

6 A. Yes, it is.

7 Q. And sent hours apart?

8 A. Yes.

9 MR. BILKOVIC: Okay. We can take that down.

10 BY MR. BILKOVIC:

11 Q. Now, during the investigation, did you request any  
12 documentation or receive any documentation from Peregrine 360?

13 A. Yes.

14 Q. Can you take a look at 28.0 and tell me if you recognize  
15 that, or do you have that with you? Is that in the book?

16 A. 28.0, yes.

17 Q. It is in there?

18 A. Yes.

19 Q. And can you tell the jury what that is?

20 A. This is a Certificate of Authenticity for a MoneyGram  
21 subpoena that was served upon MoneyGram.

22 Q. And when is that dated?

23 A. March 2, 2022.

24 Q. And how is this information obtained?

25 A. This was obtained after I served MoneyGram with an

1 administrative subpoena for records of MoneyGram payments made  
2 to the company.

3 Q. And did they provide you those records?

4 A. Yes, they did.

5 Q. Did they provide you those records under the certification?

6 A. Yes.

7 MR. BILKOVIC: Your Honor, at this time I would move  
8 for admission into evidence of Government's proposed Exhibit  
9 28.0.

10 THE COURT: Any objection?

11 DEFENDANT DIDANI: No objection.

12 THE COURT: It's admitted.

13 BY MR. BILKOVIC:

14 Q. And as part of that certification did MoneyGram also send  
15 you a letter?

16 A. Yes, they did.

17 Q. And can you look at Government's proposed Exhibit 28.2.

18 A. Yes.

19 Q. Tell me if you recognize that?

20 A. I do.

21 Q. What is that?

22 A. This is MoneyGram's response to my administrative subpoena  
23 that I served upon them.

24 Q. And have you had an opportunity -- it's an Excel  
25 spreadsheet. So at this point in time I'm not going to publish



1 it to the jury, but have you had an opportunity to review  
2 Government's proposed Exhibit 28.1?

3 A. Yes, I have.

4 Q. And what is 28.1?

5 A. 28.1 was an Excel spreadsheet showing two MoneyGram  
6 transactions between Mr. --

7 Q. I don't want you to get to the content yet.

8 A. Okay.

9 Q. Just showing two transactions?

10 A. Yes.

11 Q. MoneyGram transactions?

12 A. Yes.

13 Q. And were those transactions related to your request?

14 A. Yes, they were.

15 Q. And did they pertain to this case?

16 A. They did.

17 Q. And that was basically information provided by MoneyGram  
18 pursuant to the subpoena that was certified by MoneyGram?

19 A. Correct.

20 MR. BILKOVIC: Your Honor, at this time I would also  
21 move for admission into evidence of Government's proposed  
22 Exhibit 28.1, the Excel spreadsheet from MoneyGram, as well as  
23 28.2, the letter from MoneyGram to Detective Leach.

24 THE COURT: 28.1 and .2. The letter is .2?

25 MR. BILKOVIC: Yes.

1 THE COURT: Any objection?

2 DEFENDANT DIDANI: Your Honor, I object to -- I'm  
3 sorry. 28.2 -- I object to both of them, because I'm not  
4 seeing in the letter -- the MoneyGram letter, that say that --  
5 the recipient, but that's not saying the sender on the  
6 MoneyGram. So it will be hearsay, your Honor.

7 THE COURT: The letter is the certificate?

8 DEFENDANT DIDANI: Yes, your Honor. It does say who's  
9 the receiver on the letter, explaining who's receiving, but not  
10 saying on the certificate who is the sender. And it was only  
11 made by Excel. So I'm not sure about that, your Honor.

12 THE COURT: Do you want to respond?

13 MR. BILKOVIC: Your Honor, I'm not sure exactly what  
14 he's arguing, if he's arguing 28.1, which is the spreadsheet.  
15 28.0 is the certification from MoneyGram. 28.2 is simply the  
16 accompanying letter responding to Agent Leach.

17 And I guess I can withdraw. I don't need 28.2. I'll  
18 pull back my moving to admit that, but 28.1 is the Excel  
19 spreadsheet produced by MoneyGram that was sent to Agent Leach  
20 in response to his subpoena, along with the certification that  
21 those were accurate business records.

22 So I believe I've established the foundation, and the  
23 Excel spreadsheet. 28.1 should come into evidence.

24 THE COURT: Any objection to the spreadsheet?

25 DEFENDANT DIDANI: Yes. I object to the spreadsheet,

1 your Honor, because as the Government put 28.2, 28.1, it seems  
2 odd that on 28.2 there is the recipient name and not the sender  
3 name, but it's odd on Excel that MoneyGram send it, but that's  
4 not certified, Excel. That is -- any name can be put in there.  
5 So I object to the both of them, your Honor.

6 THE COURT: I don't have the Excel spreadsheet. I  
7 have 28.2, which is the letter. And your claim is that it's  
8 not addressed to anyone?

9 DEFENDANT DIDANI: The letter, your Honor.

10 THE COURT: 28.2?

11 DEFENDANT DIDANI: 28.2. MoneyGram has certified the  
12 recipient party, but I don't see no name who the sender. And  
13 the MoneyGram certified both of them.

14 THE COURT: 28.2?

15 DEFENDANT DIDANI: Yes, your Honor.

16 THE COURT: There's a name at the bottom of the  
17 letter. It's just one page; right?

18 MR. BILKOVIC: That's correct.

19 Your Honor, may I have one moment? I want to make  
20 sure that he's talking about the same exhibit. Can I have one  
21 moment?

22 DEFENDANT DIDANI: That's what I'm having there.

23 (Briefly off the record.)

24 MR. BILKOVIC: Your Honor, I believe that Mr. Didani  
25 -- actually, I'll let Mr. Didani speak for himself.

1                   Basically what I am seeking to admit is the Excel  
2                   spreadsheet, which is a record kept in the ordinary course of  
3                   business of MoneyGram that they then certified that that was a  
4                   record kept in the ordinary course of business showing certain  
5                   payments to Peregrine 360 and/or Carl Chaumont.

6                   THE COURT: Okay. So are you asking that 28.0 be  
7                   admitted?

8                   MR. BILKOVIC: That's the certification. I'm asking  
9                   that that be admitted along with 28.1, which is the MoneyGram  
10                  Excel spreadsheet.

11                  THE COURT: And your objection to the spreadsheet is  
12                  that it doesn't have names?

13                  DEFENDANT DIDANI: No, your Honor. The spreadsheet is  
14                  not certified. The spreadsheet is just basically Excel.  
15                  Anyone can go change the names and put the names how they want.

16                  In 28.2, the MoneyGram, the only thing is certified  
17                  the receiving, which is odd. If they going to certify, they  
18                  have to certify even the sender and the receiver, and that's  
19                  what I'm saying, your Honor. So it should not be admitted to  
20                  evidence.

21                  THE COURT: Well, 28.0 is the certification for 28.1.  
22                  I'm admitting both of those.

23                  28.2, do you want to respond to that?

24                  MR. BILKOVIC: I'm going to withdraw 28.2. I don't  
25                  need to move 28.2 in.

1 THE COURT: All right. Very well. So .0 and .1 are  
2 admitted.

3 MR. BILKOVIC: Thank you, your Honor.

4 BY MR. BILKOVIC:

5 Q. So I'm going to get a format where we can view that later.  
6 I don't want to spend time doing that today, but basically have  
7 you had an opportunity to review that Excel spreadsheet?

8 A. Yes, I have.

9 Q. And does that Excel spreadsheet show any payments to  
10 Peregrine 360 and/or Carl Chaumont?

11 A. Yes, it does.

12 Q. Do you know approximately how many payments there were?

13 A. Two.

14 Q. And do you know what the dates were on those?

15 A. I know the months.

16 Q. Okay. When?

17 A. May of 2017, and June of 2017.

18 Q. And do you know who made the payments, who -- do the  
19 records list who made the payment?

20 A. They do.

21 Q. And who made the payment?

22 A. The sender was listed as Ylli Didani.

23 Q. And do you know approximately in Canadian dollars how much  
24 was sent?

25 A. Approximately \$5,000 Canadian per payment.

1 Q. So each payment was \$5,000?

2 A. Yes.

3 Q. Now, during your investigation, did you locate screenshots  
4 that discussed using a drone or a torpedo to transport drugs?

5 A. Numerous.

6 Q. Pardon me?

7 A. Numerous.

8 Q. I'm not going to go through all of them today, but the  
9 messages, were they BlackBerry messages?

10 A. Some.

11 Q. So the ones that were BlackBerry messages, were these ones  
12 that were set to self-destruct after a period of time?

13 A. Depends on how the user of that device had his settings  
14 set, but typically, yes.

15 Q. Were there any ones that you were able to recover even  
16 though the self-destruction date had passed?

17 A. Yes.

18 Q. And how was it that you were able to do that?

19 A. Due to the fact that they were preserved by Mr. Didani  
20 taking photos of the encrypted phone, which then got backed up  
21 to the iCloud.

22 Q. So can you explain that, break that -- let me do this. I  
23 want to show you -- are you familiar with Government's proposed  
24 Exhibit 116.5, which is a photograph from the rose, gold iPhone  
25 taken from Mr. Didani on his arrest on March 31, 2021?

1 A. Yes.

2 Q. Do you recognize that?

3 A. I do.

4 Q. And what is that?

5 A. This is a photograph of another phone displaying and  
6 EncroChat message thread.

7 Q. And so basically is the photograph -- actually, I'm not  
8 going to do it that way. It's too hard to describe.

9 Do you see the person taking the photograph of the  
10 phone? Do you see the person's reflection in the background?

11 A. Yes, I do.

12 Q. And who is that person in the background?

13 A. The reflection appears to be Mr. Didani.

14 MR. BILKOVIC: Your Honor, at this time I would move  
15 for admission into evidence of Government's proposed Exhibit  
16 116.5.

17 THE COURT: Any objection?

18 DEFENDANT DIDANI: No objection, your Honor.

19 THE COURT: Very well. It's admitted.

20 MR. BILKOVIC: And can we publish to the jury, your  
21 Honor?

22 THE COURT: You may.

23 MR. BILKOVIC: Thank you.

24 Can you zoom in on the top half.

25

1 BY MR. BILKOVIC:

2 Q. And the conversation is with an individual that is named on  
3 the phone as who?

4 A. Toni Stark.

5 Q. And did you determine in this investigation who Toni Stark  
6 was?

7 A. Yes. Mr. Tibbitts -- Martin Tibbitts was referred to as  
8 Toni Stark.

9 Q. And so was there a photograph then that was taken of this  
10 text message string with Toni Stark?

11 A. Yes.

12 Q. Do you see the entry -- if you take your pointer to make  
13 sure we're on the same area, the 4-12-18, 6:17 p.m. the very  
14 top one. Keep going up. Do you see that, the date?

15 A. Yes.

16 Q. Do you see the word "ld" and then a fire emoji next to  
17 that?

18 A. Yes.

19 Q. Do you know what that means?

20 A. It means they're set to destruct after one day.

21 Q. And this was captured then on another device?

22 A. Yes, it was.

23 Q. And you said -- you indicated that you see a person in the  
24 background, a reflection in the background?

25 A. Yes, I do.



1 Q. And who do you believe that to be?

2 A. Ylli Didani.

3 Q. What does Mr. Didani appear to be holding?

4 A. Appears to be a cellular device.

5 Q. And so basically taking a picture of the message that was  
6 going to destruct in a day?

7 A. Yes.

8 Q. Did you see that numerous times in this case?

9 A. Yes.

10 Q. And did you see numerous times where there was also  
11 Mr. Didani's reflection?

12 A. Yes.

13 Q. Fair to say not always?

14 A. No, not always.

15 MR. BILKOVIC: If we can take that down.

16 BY MR. BILKOVIC:

17 Q. And going back to some exhibits from 115, the iCloud, did  
18 you see any other -- I believe I asked you about text messages  
19 relating to this torpedo or drone, or whatever it was?

20 A. Correct.

21 Q. Would you look at 115.10, which is from the iCloud.

22 A. I'm there.

23 Q. Do you recognize that?

24 A. I do.

25 Q. And what is that?

1 A. This appears to be another photo of a message thread on  
2 another device being captured by a picture.

3 Q. And again, this was from Mr. Didani's iCloud?

4 A. It was.

5 Q. And who is this between?

6 A. This is an EncroChat message thread between Toni Stark and  
7 presumably Mr. Didani.

8 Q. Whoever is in possession of the BlackBerry?

9 A. Yes.

10 MR. BILKOVIC: Your Honor, at this time I would move  
11 for admission into evidence of Government's proposed Exhibit  
12 115.10.

13 THE COURT: Any objection? Do you have any objection  
14 to 115.10, Mr. Didani? Mr. Didani, do you have any objection  
15 to Exhibit 115.10?

16 DEFENDANT DIDANI: Yes, I object, your Honor. It  
17 still -- it will come again to a stage that it will be all  
18 hearsay. Marty Tibbitts is not here to confirm what's all  
19 these messages, your Honor.

20 THE COURT: So noted for the record and preserved. I  
21 think your objection is that his statement can't come in; is  
22 that right?

23 DEFENDANT DIDANI: Yes, your Honor.

24 THE COURT: And I've already spoken to that, and it's  
25 overruled.

1                   You may proceed.

2                   MR. BILKOVIC: Is 115.10 admitted, your Honor?

3                   THE COURT: I'm getting ready to say that.

4                   MR. BILKOVIC: I'm sorry. I know, I'm talking too  
5                   fast.

6                   THE COURT: Exhibit 115.10 is admitted.

7                   MR. BILKOVIC: And may I publish it to the jury?

8                   THE COURT: You may.

9                   BY MR. BILKOVIC:

10                  Q. And can we just go to the top half, the top third  
11                  basically. And again, the message is between who?

12                  A. Toni Stark and the user of the device.

13                  MR. BILKOVIC: We're going to zoom back out, because  
14                  part of that cut off, so let's try this again.

15                  BY MR. BILKOVIC:

16                  Q. Before we do that, is there an area there that you see the  
17                  same thing with the letter -- or the number 7 and the letter D  
18                  with a fire emoji?

19                  A. Yes.

20                  Q. Can you take the pointer and point to an example of that.

21                  A. So here you'll see these messages have a 7d with a fire  
22                  emoji next to it.

23                  Q. And is there also a message down below that corresponds to  
24                  that at the end of the message thread?

25                  Keep going.

1 A. Here?

2 Q. No, keep going. The white area.

3 A. Oh, I'm sorry. Yes, right here.

4 Q. What does that say?

5 A. This says, "Secure" -- well, it has the fire emoji, same as  
6 after all the text messages, and then it says, "Secure burn in  
7 seven days."

8 Q. And can you basically -- what is the date that these  
9 messages are being sent?

10 A. June 3, 2018.

11 Q. And could you read the messages starting with the first  
12 one. I believe there's three.

13 And again, the ones on the left-hand side would be  
14 from Toni Stark?

15 A. Correct.

16 Q. And the one on the right-hand side would be the holder of  
17 the device?

18 A. Yes.

19 Q. And could you read the messages?

20 A. First message from Mr. Stark would be -- states, "Perfect,"  
21 followed by, "You have any word about size of drone" -- I'm  
22 sorry, "You have any worry about size of drone and getting it  
23 into water quietly?" He then follows it with a statement, "For  
24 1T it is almost 20 feet long."

25 Q. Are you aware of the unit of measurement that starts with a

1 letter T?

2 A. Tons.

3 Q. And is there a response?

4 A. Yes. The bottom, the user of the device states, "No  
5 brother."

6 Q. And can we go to Government's proposed Exhibit 115.5 and  
7 tell me if you recognize that? I'm sorry. 115.15.

8 A. This is another photograph of a BlackBerry phone located in  
9 Mr. Didani's iCloud.

10 Q. Same type of thing where it appears to be a photograph that  
11 was taken by another device of the BlackBerry text messages?

12 A. Correct.

13 Q. And does this further discuss the torpedo?

14 A. It does.

15 MR. BILKOVIC: Your Honor, at this time I would move  
16 for admission into evidence of Government's proposed Exhibit  
17 115.15.

18 THE COURT: Any objection?

19 DEFENDANT DIDANI: Objection, your Honor. It's all  
20 going to be hearsay.

21 THE COURT: I will allow you to have a continuing  
22 objection relative to that if you like, Mr. Didani. Is that  
23 what you'd like?

24 DEFENDANT DIDANI: Yes, your Honor.

25 THE COURT: Okay. And it's overruled at this time.

1 And 115.15 is admitted.

2 MR. BILKOVIC: And may I publish it to the jury?

3 THE COURT: Yes.

4 BY MR. BILKOVIC:

5 Q. Again, can you tell from the photo what type of message  
6 this is?

7 A. Yes. This is a Sky message.

8 Q. And how do you know that?

9 A. Due to the Sky insignia button in the white task bar right  
10 above the keys.

11 Q. And what type of phone is this on?

12 A. BlackBerry.

13 Q. And again, it's hard to see there, but do you see some  
14 fingers on the right-hand side of the photograph holding the  
15 phone?

16 A. Yes, yes.

17 Q. So does this again appear to be a photograph of a  
18 BlackBerry phone taken by another device?

19 A. Correct.

20 Q. And is that photograph then uploaded to Mr. Didani's  
21 iCloud?

22 A. That is accurate.

23 Q. Can you read the text message starting with the full one at  
24 3:53 from D4C99E@blacksecure.com?

25 A. "I will get all info when I'm there. We have other boats

1 as well that coming here. And I have fishing boat here that we  
2 unlock the torpedo 100 miles offshore. Here."

3 Q. Can you turn to Government's proposed Exhibit 116 -- I'm  
4 sorry, 115.16. And do you recognize that?

5 A. Yes, I do.

6 Q. Does that appear to be a continuation of the previous  
7 message that ended with "here"?

8 A. Correct.

9 MR. BILKOVIC: Your Honor, at this time I would move  
10 for admission into evidence Government's proposed Exhibit  
11 115.16 and request to publish it to the jury.

12 THE COURT: You have a continuing objection to this,  
13 Mr. Didani?

14 DEFENDANT DIDANI: Yes, your Honor.

15 THE COURT: So noted and preserved for the record, and  
16 115.16 is admitted.

17 MR. BILKOVIC: Thank you, your Honor. May I publish  
18 it to the jury?

19 THE COURT: You may.

20 BY MR. BILKOVIC:

21 Q. And again, do you see where the letter "Here" -- the word  
22 "Here" is in the top message?

23 A. Yes.

24 Q. Okay. And then does that person send another message?

25 A. Following the word "Here" there is another user of the

1 blacksecure.com that replies.

2 Q. So a different number, 6F35C7@blacksecure.com?

3 A. Yes.

4 MR. BILKOVIC: Can we zoom in on that.

5 BY MR. BILKOVIC:

6 Q. And can you just read that. Can you read the text message  
7 to the jury.

8 A. "My man, my guy, will me happy when he hears about the boat  
9 and we can pull that stuff before it gets to the shore."

10 Q. Now, were these only a couple of the messages that you  
11 found relating to Peregrine?

12 A. Yes.

13 Q. And you're going to be testifying later and we'll go  
14 through additional messages later?

15 MR. BILKOVIC: You can pull that one down.

16 BY MR. BILKOVIC:

17 Q. You'll be testifying about additional things having to do  
18 with the Michigan drug conspiracy?

19 A. Yes, I will.

20 Q. And during this time that the Peregrine was being designed  
21 was Mr. Didani spending time in the Eastern District of  
22 Michigan?

23 A. Yes, he was.

24 Q. And was Mr. Tibbitts living in the Eastern District of  
25 Michigan?



1 A. Yes, he was.

2 Q. I want to turn now -- if you could go to that big book, the  
3 white one right there. It's down there under the TV. I'm just  
4 going to have you go through -- I'm not going to go through  
5 chats. I'm just going to have you -- ask you some questions  
6 about some chats and move for their admission, and we will get  
7 into the content of them later.

8 But did you read and review the Cellebrite extraction  
9 report from the rose iPhone that was recovered from Mr. Didani  
10 on March 20, '21 -- March 31, 2021?

11 A. March 31, 2021, yes, I did.

12 Q. And did you find any chats in there between Donald Larson  
13 and Ylli Didani?

14 A. Yes.

15 Q. Can you look at 61.0 and tell me if you recognize that?

16 A. I do.

17 Q. And what is that?

18 A. This is a Cellebrite extraction of a message thread between  
19 an individual with a moniker P and two participants listed as  
20 Dan Dan with a phone number.

21 Q. And the phone number belongs to who?

22 A. Donald Larson.

23 Q. And this was pulled from Mr. Didani's iPhone?

24 A. Yes.

25 Q. And is it fair to say that that is an excerpt of a chat?

1 A. Yes.

2 Q. And are there portions of it that are redacted?

3 A. Yes.

4 MR. BILKOVIC: Your Honor, at this time I would move  
5 for admission into evidence of Government's proposed Exhibit  
6 61.0.

7 THE COURT: Any objection?

8 DEFENDANT DIDANI: No objection to it.

9 THE COURT: Very well. It's admitted.

10 MR. BILKOVIC: Thank you, your Honor.

11 BY MR. BILKOVIC:

12 Q. Are there various photographs and other items that were  
13 contained within that chat that were being sent back and forth  
14 between those individuals?

15 A. Yes.

16 Q. And have you had an opportunity to review Government's  
17 proposed Exhibits 61.1 and 61.9?

18 A. 61.1 and 61.9.

19 Q. Through 61.9.

20 A. Oh. Through 61.9. Yes, I have.

21 Q. And are those various photographs that were exchanged  
22 between Mr. Larson and the person identified as P?

23 A. Yes.

24 MR. BILKOVIC: Your Honor, at this time I would move  
25 for admission into evidence of Government's proposed Exhibit

1 61.1 to 61.9.

2 THE COURT: It's 61.1 through 61.9?

3 MR. BILKOVIC: Correct.

4 THE COURT: Do you have any objection?

5 DEFENDANT DIDANI: Your Honor, I'm -- 61.1, 61.2 --  
6 what I have over here is different. It have nothing to do with  
7 Mr. Larson, so I'm a little confused. This on my screen.

8 THE COURT: You say that it's not text messages  
9 between Mr. Larson and someone else? Is that your objection?  
10 I'm not sure. What's your objection?

11 DEFENDANT DIDANI: Your Honor, it's objection because  
12 Mr. Bilkovic is talking about -- I'm having on there -- on  
13 their USBs there is no -- it has nothing to do with Mr. Larson.  
14 That's why I'm confused.

15 MR. BILKOVIC: Judge, I'm sorry if I --

16 THE COURT: 61 -- you're referring to 61.1 through  
17 61.2?

18 MR. BILKOVIC: Your Honor, I might be able to clarify  
19 and maybe make the Court more informed. I should have asked  
20 better questions. The images are not -- these are images, 61.1  
21 to 61.9. Several of them involve -- they are photographs of  
22 conversations that Mr. Didani or other people were having that  
23 Mr. Didani then took screenshots and sent those to Mr. Larson.  
24 That's what they are. They're not -- the photographs are not  
25 conversations with Mr. Larson. They are photographs of

1 conversations Mr. Didani had with others that he was sending to  
2 Mr. Larson.

3 THE COURT: Okay. But I haven't heard that from the  
4 witness.

5 MR. BILKOVIC: Okay.

6 THE COURT: Do you want to ask the witness those  
7 questions?

8 MR. BILKOVIC: Yes. Let's -- for example, if we  
9 could --

10 THE COURT: Because that was not clear.

11 BY MR. BILKOVIC:

12 Q. Let's start with 16.1 (sic). Do you recognize that?

13 A. 16 --

14 Q. 61.1.

15 A. I don't have .1. I have 61.0 and 61-2.

16 Q. You don't have photographs at the end of 61?

17 MR. BILKOVIC: May I approach, your Honor?

18 THE WITNESS: I'm sorry. I'm sorry. I'm mistaken. I  
19 was in the wrong place.

20 BY MR. BILKOVIC:

21 Q. Okay.

22 A. Yes.

23 Q. And 61.1, do you recognize that?

24 A. Yes, I do.

25 Q. And what is that?

1 A. This is again a photograph of another message thread on an  
2 additional cellular device that had been captured.

3 Q. And is that a photograph then that Mr. Didani sent to  
4 Mr. Larson?

5 A. Yes.

6 Q. And is the same with photographs in 61.2, .3 and .4?

7 A. Yes.

8 THE COURT: Now, do you have an objection to those now  
9 that it's clear what they are?

10 DEFENDANT DIDANI: Yes, your Honor. I object because  
11 there's no foundation to a conspiracy.

12 THE COURT: Well, we spoke to that relative to  
13 Mr. Larson yesterday. Your objection is noted and preserved  
14 for the record. I believe we spoke to it relative to  
15 Mr. Larson yesterday; is that correct?

16 MR. BILKOVIC: Yes. And I would also note that these  
17 are statements by a party opponent as well of Mr. Didani.

18 THE COURT: All right. They're admitted, and your  
19 objection is noted and preserved for the record.

20 MR. BILKOVIC: Thank you.

21 THE COURT: For the reasons stated yesterday.

22 MR. BILKOVIC: And I'm not going to go through them  
23 right now, your Honor. I'll do that next time the agent  
24 testifies. I just want to get some of the foundation out of  
25 the way.

1 BY MR. BILKOVIC:

2 Q. If you could look at 62.0, Government's proposed Exhibit  
3 62.0, and tell me if you recognize that?

4 A. Yes, I do.

5 Q. And is that a chat message between Don Larson and  
6 Mr. Didani that was pulled from the extraction of the rose  
7 iPhone?

8 A. Yes, it is.

9 Q. And again, is that an excerpt of a chat message?

10 A. Correct.

11 Q. And --

12 MR. FINK: What number?

13 MR. BILKOVIC: 62.0.

14 MR. FINK: Thank you.

15 THE COURT: It's from what phone?

16 MR. BILKOVIC: The rose-colored iPhone --

17 THE COURT: No. I'm asking the witness.

18 MR. BILKOVIC: Oh, I'm sorry.

19 THE WITNESS: This is the rose, gold-colored iPhone  
20 that was taken off of Mr. Didani in the Charlotte airport.

21 THE COURT: Okay.

22 BY MR. BILKOVIC:

23 Q. And that is an excerpt of the full chat message?

24 A. An excerpt of the chat, yes.

25 Q. And are there portions of it that are redacted?

1 A. Correct.

2 Q. And can you look at 63.0.

3 A. Yes.

4 Q. Tell me if you recognize that?

5 A. This is an additional message thread between Mr. Larson and  
6 Mr. Didani.

7 Q. Also pulled from the rose iPhone extraction?

8 A. Yes, it is.

9 MR. BILKOVIC: Your Honor, at this time the Government  
10 would move for admission into evidence of Government's proposed  
11 Exhibits 62.0 and 63.0.

12 THE COURT: Any objection?

13 DEFENDANT DIDANI: No objection, your Honor.

14 THE COURT: All right. They're admitted.

15 BY MR. BILKOVIC:

16 Q. And I'm going to stop now, but you are familiar with other  
17 aspects of this investigation?

18 A. Yes.

19 Q. And we've not obviously gone through all of those right  
20 now?

21 A. No, we have not.

22 Q. We'll do those at a later time; correct?

23 A. Yes.

24 MR. BILKOVIC: I have nothing further at this time,  
25 your Honor.

1 THE COURT: Very well. Do you wish to cross-examine,  
2 or do you wish to wait until he's given all his testimony?

3 DEFENDANT DIDANI: No. I can do it right now, your  
4 Honor.

5 THE COURT: You can what?

6 DEFENDANT DIDANI: I can start right now, your Honor.

7 THE COURT: All right. Very well. You may.

8 CROSS-EXAMINATION

9 BY DEFENDANT DIDANI:

10 Q. Good morning -- or good afternoon, Detective Leach.

11 A. Good afternoon.

12 Q. It's been four years we didn't see each other?

13 A. March 31st.

14 Q. How are you, sir?

15 A. I'm well. Thanks.

16 Q. Detective Leach -- am I saying your last name right?

17 A. Leach, correct.

18 Q. Leach.

19 A. Thank you.

20 Q. I'm sorry.

21 A. No. You got it.

22 Q. Detective Leach, can you please tell me where do you work  
23 right now?

24 A. I'm employed for the Farmington Hills Police Department,  
25 Farmington Hills, Michigan.



1 Q. And what is your job there?

2 A. To investigate crimes from misdemeanors through felonies  
3 basically.

4 Q. For Farmington Hills?

5 A. That's one of my objections, yes -- objectives.

6 Q. Do you work for any other agency right now, Detective  
7 Leach?

8 A. Do I work for another agency?

9 Q. Yes, sir.

10 A. Yes. I'm still federally sworn as a task force officer as  
11 well.

12 Q. But you're still task force with DEA?

13 A. I'm still a federally sworn task force officer with the  
14 DEA, that is correct.

15 Q. And in Farmington Hills can you tell me -- so can you tell  
16 me, fill me in a little bit, what kind of cases you get,  
17 Detective?

18 A. As I've explained twice already, anywhere from low-level  
19 misdemeanors such as like frauds or retail frauds through  
20 mid-level misdemeanors and low-level felonies like larceny from  
21 vehicles through armed robberies, through home invasions,  
22 through stabbings, through shootings, through child abuse  
23 through rape, through drug trafficking, so on, so forth.

24 Q. What kind of cases you get in drug trafficking, Agent  
25 Leach, in Farmington?

1 A. They vary.

2 Q. Like what?

3 A. A lot of them stem from traffic stops that are brought to  
4 me on arrest, and then I'll do interviews or I'll submit it to  
5 the prosecutor's office for charges.

6 Q. Do you have -- when you say narcotics, these narcotics  
7 basically in Farmington or outside of Farmington?

8 A. My investigations?

9 Q. Yes, sir.

10 A. Well, my investigations with Farmington Hills Police  
11 Department start in the city of Farmington Hills where I have  
12 venue.

13 Q. How many investigations from Farmington Hills you had as  
14 far as international narcotics other than Mr. Didani who's in  
15 front of you?

16 A. Through Farmington Hills international narcotics  
17 investigations?

18 Q. Yes, sir.

19 A. None.

20 Q. So it would be fair that other than Mr. Didani you have no  
21 other experience as far as international narcotics; yes, sir?  
22 Is that fair?

23 A. That is inaccurate.

24 Q. Okay. Well, how many others?

25 A. I've been a federal task force officer since 2016, where I

1 investigated numerous major narcotics trafficking organizations  
2 that stemmed from this district back to other large cities,  
3 domestically and into Mexico.

4 Q. Did you ever investigated narcotics in Europe?

5 A. First time.

6 Q. You ever in South America?

7 A. No.

8 Q. So that's your first time with the defendant that's sitting  
9 in front of you, right, Agent?

10 A. You're asking if this is the first investigation that I  
11 investigated that dealt with Europe and South America?

12 Q. Yes, sir.

13 A. Yes, this is the first one.

14 Q. Now, after this investigation did you have another one?

15 A. Not that I can think of offhand, no.

16 Q. I'm trying to get your training and experience. That's  
17 what I'm trying to get out here, sir. So when --

18 THE COURT: You can go to a question.

19 BY DEFENDANT DIDANI:

20 Q. When you was brought in on this case?

21 A. I didn't understand the question.

22 Q. When you was brought in in this case?

23 A. When was I brought into the investigation?

24 Q. Yes, sir.

25 A. I was originally briefed in November of 2017.

1 Q. And briefed from who? From the Government or other agents?

2 A. From Border Patrol Officer Josh Bianchi.

3 Q. So, to be fair, you entered this case in 2017; right?

4 A. That's correct.

5 Q. And, to be fair, you testified in front of Grand Jury that

6 I was -- that I was being investigated since 2013; right?

7 A. Yes. There was previous federal -- you were under other  
8 federal investigations since then.

9 Q. Okay. Do you remember anything about 2013, sir,  
10 investigation?

11 A. Not offhand.

12 Q. Fill me in how this works. When another agent comes to  
13 you, Agent Bianchi, who comes to you and he says, Detective  
14 Leach, I need your help, come and help me out for what?

15 A. It's very typical for agencies to work together and  
16 collaborate on large-scale investigations. So there was new  
17 information that was brought to Mr. Bianchi's attention, and he  
18 wanted to bring it back to the -- to our group. And we kind of  
19 evaluated the situation and figured that this case had some  
20 meat on the bone and that it would be a good case to  
21 investigate.

22 Q. So basically what you said right now, Agent Bianchi brought  
23 the case to you, so pretty much you investigated what Agent  
24 Bianchi had done before from this case?

25 A. Yes. Some of the facts from Mr. Bianchi were shared with

1 me, that is correct.

2 Q. All right. So in your memory -- let's go to 2013. What  
3 facts was that?

4 A. What facts were what?

5 Q. Agent Bianchi shared with you in 2013.

6 A. I don't recall the facts from 2013. As I stated, my  
7 primary focus of this investigation started in 2017, with more  
8 recent information from the 2015 and '16 phones and the money  
9 transactions conspiring within the Eastern District of  
10 Michigan.

11 Q. Agent, you didn't mention nothing about 2015 phones, but  
12 since you opened it right now what do you know about 2015  
13 phones?

14 A. I know that they were seized at the Chicago O'Hare Airport  
15 whenever you came -- or they were extracted whenever you came  
16 into the airport during an international flight. And there was  
17 evidence on there that was suspicious activity such as bulk  
18 money and you in possession of firearms.

19 Q. Do you know if they had a warrant for those 2015?

20 THE COURT: They have what?

21 DEFENDANT DIDANI: A warrant, your Honor.

22 BY DEFENDANT DIDANI:

23 Q. Agent Bianchi, did he share that information with you?

24 A. I believe there was multiple phones.

25 Q. In 2015? Do you have an extraction in 2015? Did you ever

1 look at it, yourself personally?

2 A. I don't recall reviewing the 2015 full extraction, no.

3 Q. But did you review it any time, or no?

4 A. I just said I don't recall reviewing an extraction, a 2015  
5 phone in totality, no.

6 Q. You were not interested to investigate 2015?

7 A. As I stated, when I came on in 2017, we were focussing from  
8 '15 to '16 with the newer phones, the money transaction in the  
9 Eastern District of Michigan. So my goal is to investigate  
10 recent activity to try and become proactive and identify the  
11 active members of the organization.

12 Q. What organization?

13 A. The transnational drug trafficking organization that you're  
14 associated in.

15 Q. So in 2017, there was a transnational crime organization?

16 A. I started in November of 2017. And, yes, the information  
17 on your August 2016 phone and information that we received in  
18 the iCloud data that went back into those dates was  
19 indicative -- that showed evidence that was indicative of  
20 international drug trafficking.

21 Q. So the only thing that you claiming right now, 2015, 2016,  
22 is a iPhone, that's it? That's your best witness?

23 A. You're my best witness.

24 Q. I didn't ask you about me. I asked you about the iPhone,  
25 sir. I know you don't like me, but I'm asking you. I asked

1 you about the iPhone.

2 A. Mr. Didani, you asked me if that was my best piece of  
3 evidence.

4 Q. If you going to answer --

5 THE COURT: Excuse me. You all can argue about --  
6 back and forth about who likes who and the like, but that does  
7 not advance the trial. Pose a question that advances the  
8 trial.

9 DEFENDANT DIDANI: Your Honor. I pose a question  
10 about is that your best witness, the iPhone, and Mr. --  
11 Detective Leach --

12 THE COURT: Go to a new question.

13 BY DEFENDANT DIDANI:

14 Q. Let me go back. 2013. Did you ask Mr. Bianchi what he was  
15 investigating?

16 A. I had spoken with Mr. Bianchi about the earlier parts of  
17 the investigation in 2013. I do not recall specifics about.

18 Q. Do you remember in 2014?

19 A. I recall reviewing the images from the 2015 phone. The  
20 specific dates on those phones, I cannot tell you.

21 Q. Did you review my fiancée's images too, naked images?

22 A. If your fiancée was naked on the iPhone, then I looked at  
23 all images on the iCloud and iPhone, yes.

24 Q. Did you ask Mr. Bianchi if he had a warrant for that that  
25 you reviewed?

1 MR. BILKOVIC: Judge --

2 THE WITNESS: A warrant for what? Which devices I'm  
3 asking?

4 MR. BILKOVIC: Judge, at this point I'm going to pose  
5 an objection as to relevance. The Court has already gone  
6 through this with other witnesses. They had a warrant for the  
7 '16 phone, not the '15 phone. The Court's ruled on this.

8 THE COURT: He asked him if he reviewed it. I'm going  
9 to allow him to ask if he reviewed it.

10 He wants to know if you reviewed the warrant for that  
11 phone.

12 THE WITNESS: For the 2016 phone?

13 BY DEFENDANT DIDANI:

14 Q. 2015, sir.

15 A. 2015 phone, no.

16 Q. Did you ask Agent Bianchi for 2013, 2014, 2015, until you  
17 got investigation 2017? Did you ask Agent Bianchi, being  
18 curious, did you ask him if he got anything what he was  
19 investigating, both cross boarding, Canada, trucks, semi trucks  
20 and everything? Did you ask him? You was curious to find out,  
21 or no?

22 THE COURT: Okay. It's really compound. Break down  
23 what you want to ask him.

24 BY DEFENDANT DIDANI:

25 Q. Did you ask Mr. Bianchi about the alleged TCO? Did you ask



1 Mr. Bianchi in four years what he had got, what he had got  
2 other than pictures of money and weapons on a phone, posing  
3 with a weapon?

4 A. In physical seizures, there were no physical seizures of  
5 narcotics at that point if that's what you're getting to.

6 Q. Yes, sir.

7 A. Yes.

8 Q. So Agent Bianchi in 2013, 2014, 2015, 2016, and almost  
9 2017, almost five years, Agent Bianchi had not provided not  
10 even one evidence that it was any narcotics or money laundering  
11 or anything here in the United States?

12 A. I'm not testifying as Agent Bianchi, though.

13 THE COURT: Are you aware?

14 THE WITNESS: Am I aware?

15 THE COURT: Of anything.

16 THE WITNESS: No, no physical drug evidence. No.

17 THE COURT: Go to your next question.

18 BY DEFENDANT DIDANI:

19 Q. All right, Agent. So, Detective, 2017, you come in with a  
20 different set of eyes. Who is Eric Puzio?

21 A. Eric Puzio is an associate of yours that lived in  
22 Hamtramck, Michigan at the time.

23 Q. Is he a co-conspirator?

24 A. At this point, no.

25 Q. Donald Larson, who is he?

1 A. He is also an associate of yours, an unindicted  
2 co-conspirator in this case.

3 Q. He was never indicted?

4 A. He was never indicted.

5 Q. He was never arrested with a complaint, federal complaint?

6 A. Yes, he was.

7 Q. Did he ever made it to jail, or no? Did you ever send him  
8 to jail?

9 A. Sentenced to jail, I don't do the sentencing, but he was  
10 arrested.

11 Q. Did you let him go home or did you let him -- what  
12 happened?

13 A. He was released from detainment, yes.

14 Q. Marty Tibbitts. What kind of person is Marty Tibbitts,  
15 Detective Leach?

16 A. I don't know Marty Tibbitts personally.

17 Q. No?

18 A. I didn't. Sorry.

19 Q. But you had all his iClouds, E-mails, computers, the whole  
20 nine yards. You don't know -- did you build any profile on  
21 Marty Tibbitts?

22 A. Yes.

23 Q. What kind of person is Marty Tibbitts?

24 A. Are you asking for my personal opinion?

25 Q. Yes, yes.

1 A. Based on the evidence that I located during this  
2 investigation?

3 Q. Based on what -- going through to his life, snooping all  
4 over his life, based going to ever corner and ever inch that  
5 Marty Tibbitts had, what kind of profile -- what kind of  
6 personality Marty Tibbitts is?

7 A. Well, it appeared that Martin Tibbitts was a self-made  
8 entrepreneur with many upstanding businesses in the local  
9 Detroit area with telecommunications and answering services.  
10 It also appeared that he liked adrenaline. He was also a pilot  
11 and flew old historical war craft. It also appeared that he  
12 was into new cutting-age technology things and cryptocurrency.

13 Q. What about Pete Synowiec? Pete Synowiec?

14 A. Yes. Also an entrepreneur in the Eastern District of  
15 Michigan that opened up two businesses.

16 Q. What about Alex Meskouris?

17 A. He's a real estate agent out of New York.

18 Q. I'm asking a question so I can confirm myself. I'm sorry.

19 A. Sure. That's okay.

20 Q. Just like the Government asked you about these names, I'm  
21 asking you, too, sir.

22 A. I'm just trying to make sure that I'm providing you with an  
23 answer.

24 Q. What about Philip Daskal?

25 A. Philip Daskal is vice president of INKAS Armored

1 Manufacturing out of Canada.

2 Q. What about Fatjon Bajrami?

3 A. Bajrami?

4 Q. Yes.

5 A. Associate of yours that lived in suburbs of Chicago.

6 Q. When you say associate, what do you mean associate?

7 A. I mean he was located in numerous communications with you  
8 going back and forth involving business, illegal and legitimate  
9 and family.

10 Q. What about Loma, Thomas Sweeney? What about him?

11 A. What would you like about Mr. Sweeney?

12 Q. I'm asking you.

13 A. I know that he goes by the moniker "Loma." I know he's a  
14 British national. I know he lives in Dubai, and I know he  
15 finances substantial amounts of cocaine through your  
16 organization.

17 Q. He lives where?

18 A. Dubai UAE.

19 Q. Where is Dubai located?

20 A. In the Middle East.

21 Q. How far from United States?

22 A. Across the ocean.

23 Q. Detective, how many miles?

24 A. I don't know.

25 Q. To be fair, about 8,000 miles?

1 A. I don't know. Several thousand.

2 Q. What about Dayiberto Torres?

3 A. Yeah. He's an import/export businessman that lives in the  
4 Dominican and Guayaquil, Ecuador.

5 THE COURT: I'm sorry. What?

6 THE WITNESS: Guayaquil, Ecuador and the Dominican  
7 Republic.

8 BY DEFENDANT DIDANI:

9 Q. Where is Ecuador?

10 A. Ecuador is in South America.

11 Q. How far is from Michigan?

12 A. Several thousand miles.

13 Q. To be fair, about 5,000 miles, sir?

14 A. I'm not going to put a number on it.

15 Q. All right. Fair enough, Detective Leach. You indicated  
16 how many warrants you have -- how many iClouds did you got?

17 A. Thirteen to 14 for your specific accounts.

18 Q. Just one person's iCloud?

19 A. Just your iCloud that many, yes.

20 Q. It start from 2019?

21 A. That was the initial iCloud search warrant, October 31,  
22 2018.

23 Q. How many cases you have that you have to pull out 18 -- 13  
24 iClouds just from one person?

25 A. Just this one.

1 Q. And how many other people's iClouds you have gotten,  
2 Detective Leach?

3 A. In total?

4 Q. In total, in this investigation.

5 A. Oh. In this investigation?

6 Q. Yes.

7 A. Just myself or the -- all the members?

8 Q. Just yourself, Detective Leach.

9 A. There are a few other iCloud accounts that I drafted  
10 warrants for.

11 Q. Do you remember which one?

12 A. I do.

13 Q. Can you please name those, please?

14 A. Yushan Wang and Zulfigar Ali.

15 Q. Yushan?

16 A. Yushan Wang.

17 Q. Who is Yushan?

18 A. Yushan Wang, also know Chinola, is a Chinese national that  
19 was living in Guayaquil, Ecuador laundering money for your  
20 organization.

21 Q. Living in Ecuador?

22 A. Yes.

23 Q. Does it seem odd that a detective from Detroit Farmington  
24 pulling iCloud for someone who lives in Ecuador?

25 A. Again, I'm acting in a capacity as a federally-sworn DEA

1 officer.

2 Q. You was asked --

3 A. These are federal search warrants that I was getting  
4 authorization for, not state search warrants, not city search  
5 warrants.

6 THE COURT: Okay. Let's take a minute and have the  
7 jury stand up and stretch a little bit, okay.

8 Everybody over there all right? Yes?

9 A JUROR: Yes.

10 THE COURT: Okay. All right. You may all be seated.  
11 I remind you to pay careful attention, please.

12 Go to your next question.

13 BY DEFENDANT DIDANI:

14 Q. You say Yushan; right?

15 A. Yushan, correct. Y-U-S-H-A-N.

16 Q. And who's the other person?

17 A. Zulfigar Ali.

18 Q. Where is he located?

19 A. Currently I do not know. At the time he was located in  
20 Dubai.

21 Q. And what is occupation of Mr. Ali?

22 A. Also a money launderer.

23 Q. Money launderer, too. For who?

24 A. For your organization, among others.

25 Q. Did Mr. Ali knew anything about Donald Larson?

1 A. I have no information that shows that the two had knowledge  
2 of each other, no.

3 Q. Did Mr. Ali knows anything about Eric Puzio?

4 A. I highly doubt it.

5 Q. Excuse me?

6 A. I have no information that shows the two are in  
7 communication, no.

8 Q. What about Pete?

9 THE COURT: What about who?

10 BY DEFENDANT DIDANI:

11 Q. Pete Synowiec?

12 A. No.

13 Q. Did Mr. Ali at any point was anywhere near Michigan,  
14 Eastern District of Michigan?

15 A. Not that I'm aware of.

16 Q. Did Mr. Ali in any point from Dubai send any money to the  
17 Eastern District of Michigan?

18 A. He was -- yes. There was direction that showed that he  
19 sent money on order of you to INKAS in Canada, which goes  
20 through the U.S. corresponding banks of United States.

21 Q. Sir, sir, Detective, my question is the Eastern District of  
22 Michigan.

23 A. I'm sorry. No.

24 Q. We get to that.

25 A. Okay.



1 Q. So what about Yushan, Chinola --

2 DEFENDANT DIDANI: Your Honor, I can't pronounce his  
3 name. Can we call him Chinola?

4 THE COURT: How is it spelled?

5 DEFENDANT DIDANI: The --

6 THE WITNESS: This is a moniker known to Mr. Wang.  
7 Chinola, C-H-I-N-O-L-A.

8 THE COURT: Is that who you're talking about?

9 DEFENDANT DIDANI: Yeah. I can't -- Chinola. Your  
10 Honor, can we say Chinola?

11 THE COURT: Okay. Ask your question about this  
12 person.

13 BY DEFENDANT DIDANI:

14 Q. You indicated that Chinola who is again helping the  
15 organization to launder money; right?

16 A. Yes.

17 Q. Chinola ever send any money in the Eastern District of  
18 Michigan?

19 A. Not that I'm aware of.

20 Q. Does he know where is Michigan?

21 A. I can't speak for Mr. Wang.

22 Q. You got his iCloud --

23 THE COURT: Is that Mr. Chinola? The name that he  
24 goes by is Chinola, but that is Mr. Wang?

25 THE WITNESS: That is Yushan Wang. Yes, your Honor.

1 THE COURT: Let's refer to him as Mr. Wang.

2 DEFENDANT DIDANI: Mr. Wang, okay.

3 BY DEFENDANT DIDANI:

4 Q. Does Mr. Wang have any idea where Michigan is, Eastern  
5 Michigan?

6 A. I can't speak for Mr. Wang if he knows where Michigan is  
7 at.

8 Q. But did you got these iCloud?

9 A. Yes.

10 Q. From the information of his iCloud, all the information,  
11 I'm sure you went one by one, did you find any evidence that  
12 Mr. Wang send any money to the Eastern District of Michigan?

13 A. No, I did not.

14 Q. All right. We go back to time machine. We go back to  
15 2017. Detective Leach, I want to talk to you about one of your  
16 first reports, if you remember 12-27, 2017.

17 A. Okay.

18 Q. Do you remember that report was about?

19 A. Can you read the title of the report?

20 Q. "Return subpoena from JW Marriott, Washington, D.C."

21 A. Yes.

22 Q. Do you remember -- do you need the report or you can speak  
23 from your memory?

24 A. It depends on the question.

25 Q. All right. It's blacked out, but in December 19, 2017, it

1 was received some information. Do you remember where you guys  
2 received information that I was in Washington, D.C.?

3 A. During 2017?

4 Q. December 19.

5 A. Yes.

6 Q. I have a blackout. Can you help me who informed you  
7 guys --

8 MR. BILKOVIC: Judge, I would object to that. I would  
9 ask that we approach?

10 THE COURT: You may.

11 (At sidebar on the record out of the hearing of  
12 the jury, as follows:)

13 MR. BILKOVIC: The information was provided by a  
14 confidential, unnamed source that is not testifying in this  
15 case. It is not required that we disclose that source unless  
16 Mr. Didani has some type of information that this is  
17 exculpatory, and it has not shown that. So I would ask that he  
18 not be allowed to ask this witness the name of who told him  
19 that information.

20 DEFENDANT DIDANI: Your Honor, it's -- the whole thing  
21 in this conspiracy is Washington. It's nothing else.

22 THE COURT: Is what?

23 DEFENDANT DIDANI: Washington. So the whole center of  
24 this conspiracy, your Honor, from the Government's allegations  
25 is Washington. There is nothing else, your Honor, \$450,000 in

1 Washington. So for the defense need to find out -- it's  
2 appropriate for the defense to find out how the information  
3 come and where they go, how did it -- and why did they follow  
4 up with those information, your Honor.

5 THE COURT: You can ask him those questions without  
6 asking the name of the informant.

7 DEFENDANT DIDANI: All right, your Honor.

8 (End of sidebar.)

9 THE COURT: You may proceed as directed.

10 BY DEFENDANT DIDANI:

11 Q. Detective Leach, so you -- you receive information that I  
12 was in Washington?

13 A. Yes.

14 Q. What was all the information? I don't need the name, just  
15 basically the informant, what did they fill you in? What kind  
16 of information they give you?

17 A. I received a folio from the JW Marriott Hotel for a  
18 reservation for you.

19 Q. Did you send a agent to that hotel in Washington?

20 A. Yes.

21 Q. To verify what?

22 A. A copy of the folio and to see if there were any vehicles  
23 associated.

24 THE COURT: See if there were what?

25 THE WITNESS: Any vehicles associated with the

1 reservation.

2 BY DEFENDANT DIDANI:

3 Q. So Agent -- Detective Leach, so in December 19, 2017, you  
4 knew that I was in Washington; right?

5 A. Yes.

6 Q. You notified the agents there in Washington to go check on  
7 this hotel and Mr. Didani; yes?

8 A. Yes.

9 Q. Did you notify those agents I need all eyes on Mr. Didani  
10 to find out what he's doing there in Washington?

11 A. No.

12 Q. Why not, Agent?

13 A. I was merely trying to confirm that you were in Washington,  
14 D.C. at that time. It was in the infancy stages of my personal  
15 investigation and the new agents and officers that were on the  
16 case.

17 Q. You was investigating quote/unquote a international drug  
18 dealer. You was investigating quote/unquote international  
19 money laundering. You didn't have no interest to find out  
20 what's going on? Since you had the information, you didn't  
21 have no interest to find out what Mr. Didani was doing in  
22 Washington?

23 A. As I stated, we started with the documentation that you  
24 were in Washington, D.C. and what vehicle you were utilizing.  
25 That is as far as we went at that point.

1 Q. Why you didn't go farther?

2 A. I don't know at this point. Like I said, documentation and  
3 then we had some money transactions we were trying to follow.

4 Q. So you don't think you had the best opportunity, life, to  
5 do all good police work in that time? While Mr. Didani was in  
6 that hotel, you don't think it was proper to do the good, good  
7 whole police work, not relying only on iPhone, trying to stick  
8 up, make up geo whatever, but you don't think it was the best  
9 opportunity for you and your agency and for the government to  
10 find out what Mr. Didani was doing in Washington?

11 A. Mr. Didani, as I stated, it was in the infancy of the  
12 investigation for me. So, no, at that time I did not  
13 understand the size of the conspiracy or organization yet. And  
14 we verified that your existence in Washington, D.C. at the  
15 JW Marriott was valid and that as far as we needed to take it  
16 at that time.

17 Q. Detective Leach, you just testified that in 2016 and 2015  
18 those phones had a gold mine as far as a TCO, transnational  
19 crime organization. But in 2017, you don't think it was proper  
20 to investigate Mr. Didani what he was doing in Washington? Is  
21 that what you just testified right now, sir?

22 A. Yes.

23 Q. Since you've been snooping on my iClouds, do you know --

24 MR. BILKOVIC: Judge, I would object to the question.

25 I believe --

1 THE COURT: Sustained. Use a different word.

2 BY DEFENDANT DIDANI:

3 Q. Do you know what Mr. Didani was doing in Washington all the  
4 time?

5 A. Not all the time, no.

6 Q. Did you see videos that I was with politicians there?

7 A. I don't recall every video or photo of who you were with.

8 Q. Did you have my Instagram account?

9 A. At one point, yes.

10 Q. If I show you a photo from Instagram account, you think you  
11 will identify these people in Washington?

12 A. I don't know if I would be able to identify the politicians  
13 by sight, no.

14 Q. So you was not -- so your eye only, your eye, so your  
15 vision of Mr. Didani is he's a bad dude and your mind is not  
16 looking anywhere else, just this; is that right?

17 A. Do I think you're a bad dude? No.

18 Q. I appreciate that. So since you investigated these phones,  
19 these iClouds, it is very important, Detective Leach, we talk  
20 about this Washington thing. It's very important, because  
21 that's the center of conspiracy if you agree with me; right?  
22 You don't know anything what Mr. Didani was doing out there in  
23 Washington?

24 A. No, that's not true. I told you I didn't know what, if  
25 any, politicians that you had met while you were down there.

1 Q. Do you think I met a lot of politicians there?

2 A. I can't testify to that.

3 Q. Do you think I was with Marty there having a lot of dinners  
4 with the politicians?

5 A. During this specific trip, no, I do not.

6 Q. How do you know, Agent? You just said that you only send a  
7 agent to verify if I was in hotel or not, and you didn't ask  
8 no -- you didn't ask Agent -- the agent in Washington, D.C. to  
9 even look farther; right?

10 A. At that time I did not, no.

11 Q. All right. So let's go to your best witness, which is the  
12 iPhone. You didn't ever find out in iPhone in 2015, 2016, 2017  
13 that Mr. Didani or Marty Tibbitts were having a lot of meetings  
14 in Washington?

15 A. I didn't say that you hadn't had meetings in Washington. I  
16 don't remember any specific dates of those meetings. I'm  
17 saying during this specific trip to Washington I did not find  
18 any documentation of that.

19 Q. What about your witness? You didn't find any documentation  
20 that I was in Washington holding a lot of meetings?

21 A. In your iCloud?

22 Q. Of course. That's your witness.

23 A. During this trip, I found numerous documentation of you  
24 receiving -- I don't recall anything regarding any official  
25 meetings, no.



1 Q. What about the trip before that? Do you think before that,  
2 like a month before, two months before?

3 A. I thought we were talking about the Washington, D.C. trip.

4 THE COURT: Now he's talking about two months before  
5 that.

6 THE WITNESS: So what timeframe are you speaking of?

7 BY DEFENDANT DIDANI:

8 Q. In Washington. In Washington.

9 THE COURT: Make the timeframe clearer.

10 BY DEFENDANT DIDANI:

11 Q. In -- let's say in August in Washington.

12 THE COURT: August of what year?

13 DEFENDANT DIDANI: 2017.

14 THE WITNESS: I can't testify to that. I do not have  
15 recollection from your iCloud during that timeframe of  
16 meetings, no. That's not -- that was not the focus of my  
17 investigation.

18 BY DEFENDANT DIDANI:

19 Q. All right, Agent. So we have to be -- let's focus. We  
20 have to be on the same page now. All right. So 2015 phone,  
21 the extraction; right? You had the extractions? Did you check  
22 those extractions? I'm not tricking you. Did you check all  
23 the -- they're in 2015; right?

24 A. I did not dissect the entire thing, no.

25 Q. All right. What about 2016 phones that you seized -- your

1 partner, Josh Bianchi, seized in Chicago? You went, 11 days  
2 later got a warrant. You got a copy of those extractions in  
3 2016?

4 A. Yes.

5 Q. All right. So I want to be -- because -- I just want to  
6 make sure and be clear for the Court here, because the only  
7 informant that you have is the iCloud. So we have to make sure  
8 that you had all the --

9 Did you check all the iCloud from 2016, sir?

10 A. It should have been captured in the initial iCloud, yes.  
11 What was -- what would have still been preserved on your iCloud  
12 at the time of my search warrant request.

13 Q. When you got a copy, it was a hundred percent copy of that  
14 phone in 2016, or no?

15 A. I haven't compared them side-by-side. So, like I said,  
16 there are multiple overlaying things that are the same or very  
17 similar, but I can't testify that everything was exactly the  
18 same.

19 Q. You didn't find any evidence that I was there in 2016?

20 A. I'm not disputing that you had meetings with other  
21 businessmen. I've seen photos of that. What I'm trying to  
22 testify to is that I don't know the specific names of these  
23 individuals, and I can't recall the exact dates and locations  
24 off of memory.

25 Q. All right. So we agree -- now we agree, we're on the same

1 page, that it was a lot of meetings in Washington between 2016,  
2 2017, between me and other people, Marty, other people? Do you  
3 agree with that, sir? There is photos, videos, because that's  
4 what we have right now. That's the only thing we have here.  
5 The number one informant.

6 THE COURT: Do you want him to answer the question?

7 DEFENDANT DIDANI: Yes, your Honor.

8 THE WITNESS: I can't testify to specific locations  
9 and time and dates, like I said, but I do recall seeing photos  
10 of you dressed up with Martin dressed up and other unknown  
11 individuals to me.

12 THE COURT: Mr. Tibbitts you mean?

13 THE WITNESS: Mr. Tibbitts. I'm sorry.

14 THE COURT: Thank you.

15 BY DEFENDANT DIDANI:

16 Q. And now we coming to 2017, Detective Leach. And I  
17 appreciate for you saying that I'm not a bad person. I really  
18 appreciate that. That means a lot.

19 THE COURT: Go to a question.

20 BY DEFENDANT DIDANI:

21 Q. We going to sit on 2017. Did you have a chance to see --  
22 of course you made the complaint. The complaint was done by  
23 you; right?

24 A. Yes.

25 Q. And by the prosecutor, Mr. Bilkovic?

1 A. Reviewed by, yes.

2 Q. We have to stay -- now we talking about this Washington  
3 thing, the \$450,000; right? Did you have a chance to review  
4 the superseding indictment?

5 A. Yes.

6 Q. And do you agree with me, part of me being in this Court  
7 right now in front of you and in front of this jury and in  
8 front of this judge, it was -- part of that is -- very  
9 important part, the \$450,000 in Washington? Do you agree with  
10 me?

11 A. The \$450,000 was flown from Detroit to Washington, D.C. is  
12 an element of the local conspiracy, yes.

13 Q. We going to get to that, you know, Detective Leach. We  
14 going to get to that.

15 A. It's an element. I wouldn't say it's the only part, no.

16 Q. This one of the biggest part of this conspiracy that I'm  
17 sitting over here right now. That's where we started  
18 everything, though; right?

19 A. One of the factors, yes.

20 Q. Because Agent Bianchi, 2013, 2014, 2015, 2016, all these  
21 years, other than snooping on my phones he had nothing else;  
22 right?

23 A. There were no physical seizures made at that time, yes.

24 Q. Right. Now we got this 2017. So, Detective Leach, you  
25 have to be patient with me, because --

1 THE COURT: Go to a question, please.

2 BY DEFENDANT DIDANI:

3 Q. So what make you think this \$450,000 was used to buy  
4 cocaine? What is your view on that? I want to see your view.  
5 What make you think this \$450,000 was used to buy cocaine?

6 A. Well, by the initial way that it was layered to get  
7 converted from a bank account to cash in bulk currency, the  
8 fact that it was flown down in secrecy in the middle of the  
9 night to Washington, D.C. and hand delivered to you. There was  
10 text messages between you and Mr. Larson stating that "got to  
11 be careful, there's a lot of cops around here at night, we got  
12 to be discreet."

13 Then there was geotagged photos of you with the money  
14 laid out on the bed. You could do that for a multitude of  
15 purposes, I suppose. But then the next day you were in contact  
16 with Chinese members of what -- in New York in which you then  
17 transported the money to New York and recorded a video of the  
18 money going through a money counter and then just disappearing.

19 So in my profession, in my professional opinion, this  
20 is not indicative of legitimate money transfer. There are much  
21 simpler ways to move money legitimately if it's for a  
22 legitimate purpose. Once you start showing deceit and layering  
23 techniques, it shows that the money is most likely used for  
24 illegal activity.

25 Q. That's your belief; right? That's your belief? That's not

1 a fact; right?

2 THE COURT: You asked him his belief.

3 DEFENDANT DIDANI: That's his belief?

4 BY DEFENDANT DIDANI:

5 Q. All right. So --

6 THE COURT: You can continue with this witness  
7 tomorrow. Thank you.

8 DEFENDANT DIDANI: Yes, your Honor.

9 THE COURT: You may step down, sir. Don't discuss  
10 your testimony with anyone, and please come back tomorrow at  
11 the appointed time; okay?

12 THE WITNESS: Yes, your Honor.

13 (End of excerpt at 12:57 p.m.)

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3 CERTIFICATE OF COURT REPORTER  
4

5 I, Sheila D. Rice, Official Court Reporter of the  
6 United States District Court, Eastern District of Michigan,  
7 appointed pursuant to the provisions of Title 28, United States  
8 Code, Section 753, do hereby certify that the foregoing pages  
9 is a correct transcript from the record of proceedings in the  
10 above-entitled matter.  
11  
12

13 **s/Sheila D. Rice**

14 Sheila D. Rice, CSR-4163, RPR, RMR, FCRR  
15 Federal Official Court Reporter  
16 United States District Court  
17 Eastern District of Michigan

18 Date: 04/11/2025  
19 Detroit, Michigan.  
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21  
22  
23  
24  
25